

SENATE BILL REPORT

ESHB 2421

As Reported by Senate Committee On:
Ways & Means, March 2, 2020

Title: An act relating to state reimbursement of election costs.

Brief Description: Concerning state reimbursement of election costs.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Tarleton, Pollet and Doglio).

Brief History: Passed House: 2/13/20, 80-16.

Committee Activity: Ways & Means: 2/26/20, 3/02/20 [DPA, w/oRec].

Brief Summary of Amended Bill

- Requires the state to reimburse the prorated share of state elections costs to counties for primary and general elections in even-numbered years.
- Requires the state to reimburse the prorated share of federal elections costs to counties for all primary and general elections.
- Requires production of a local voter's pamphlet before each primary, general, or special election.

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Honeyford, Assistant Ranking Member, Capital; Billig, Carlyle, Conway, Darneille, Dhingra, Hasegawa, Hunt, Keiser, Lias, Muzzall, Pedersen, Rivers, Schoesler, Van De Wege and Wagoner.

Minority Report: That it be referred without recommendation.

Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker, Warnick and Wilson, L..

Staff: Sarian Scott (786-7729)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background: Election Reimbursement. In odd-numbered years, if state officers or measures are voted upon at a primary or general election, the state must pay counties a prorated share of the election costs. The state must also pay a prorated share of costs associated with elections held to fill a vacancy in the United States Senate or House of Representatives. Each county auditor apportions the state's share of election expenses, then files expense claims with the Secretary of State. The Secretary of State must include sufficient funds to reimburse the counties for the state share of election costs in its biennial budget, and appropriations must be made specifically for county reimbursement.

Prepaid Election Postage. Washington conducts all elections by mail. For a ballot to be counted, the voter must either return the ballot to the county auditor no later than 8:00 p.m. on election day or mail the ballot to the county auditor with a postmark on the larger envelope, dated no later than election day. Many county auditors provide ballot drop boxes at sites, in addition to the county auditor's office, where voters may return completed ballots. Since 2019, return envelopes for all ballots include prepaid postage. The state reimburses counties for the cost of placing prepaid postage on ballot return envelopes.

Voter's Pamphlets. The Secretary of State prints and distributes a voters' pamphlet to each household in the state, public libraries, and other locations whenever a statewide ballot measure or office is scheduled to appear on the general election ballot. Counties and cities may, if authorized by ordinance, publish and distribute a local voters' pamphlet with information on local ballot measures, including the text of measures and arguments supporting and opposing measures. The county or city may also specify in the ordinance that the local voters' pamphlet shall contain information on candidates for office.

Summary of Amended Bill: Election Reimbursement. The state must reimburse counties for:

- the prorated share of state elections costs for primary and general elections held in even-numbered years;
- the prorated share of federal elections costs for all primary and general elections; and
- all costs of a recount in an election for legislative office, congressional office, or any office with multi-county jurisdiction.

The prorated share of elections costs includes prepaid postage on ballot return envelopes.

Voter's Pamphlets. Each county auditor must produce a local voter's pamphlet before any primary, general, or special election, with information on all measures and candidates within the jurisdiction.

EFFECT OF WAYS & MEANS COMMITTEE AMENDMENT(S): Removes appropriation, removes voter outreach requirements, and changes the effective date.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on July 1, 2021.

Staff Summary of Public Testimony on Engrossed Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: For the last three decades, the state and counties have been in conversation over election costs. Increased complexity and costs. Mason County does not produce a county voter pamphlet. We really like this bill, especially the outreach. Good governance. Equitable distribution of election costs. Mandates need funding. There was a line added in the version that dealt with the unfunded mandate statute, and it makes us nervous. We would prefer to see that language out.

OTHER: I did not notice an impact to local governments until the last couple of days. For ports, we think the costs to local governments will be significant. We are very worried about the costs.

Persons Testifying: PRO: Daryl Daus, Chief of Staff, Kitsap County Auditor; Mary Hall, Thurston County Auditor; Julie Anderson, Pierce County Auditor; Paddy McGuire, Mason County Auditor; Mike Hoover, Washington State Association of Counties; Steven Drew, Thurston County Assessor and Legislative Committee Chair.

OTHER: Victoria Lincoln, Washington Public Ports Association.

Persons Signed In To Testify But Not Testifying: No one.