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HOUSE BILL 1291

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State of Washington

66th Legislature

2019 Regular Session

By Representatives Walsh, Dolan, Goehner, Gregerson, Van Werven, Eslick, Bergquist, Pollet, and Rude

Read first time 01/18/19. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to state reimbursement of election costs;  
2 amending RCW 29A.04.410, 29A.04.420, 29A.04.216, 29A.04.430, and  
3 29A.64.081; and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 29A.04.410 and 2013 c 11 s 10 are each amended to  
6 read as follows:

7 Every county, city, town, ((and)) district, and the state is  
8 liable for its proportionate share of the costs when such elections  
9 are held in conjunction with other elections held under RCW  
10 29A.04.321 and 29A.04.330.

11 Whenever any county, city, town, ((or)) district, or the state  
12 holds any primary or election, general or special, on an isolated  
13 date, all costs of such elections must be borne by the county, city,  
14 town, or district concerned, or the state as appropriate.

15 The purpose of this section is to clearly establish that the  
16 county is not responsible for any costs involved in the holding of  
17 any city, town, ((or)) district, state, or federal election.

18 In recovering such election expenses, including a reasonable  
19 ((pro-ratio)) proration of administrative costs, the county auditor  
20 shall certify the cost to the county treasurer with a copy to the  
21 clerk or auditor of the city, town, or district concerned, or the

1 secretary of state as appropriate. Upon receipt of such certification  
2 relating to a city, town, or district, the county treasurer shall  
3 make the transfer from any available and appropriate city, town, or  
4 district funds to the county current expense fund or to the county  
5 election reserve fund if such a fund is established. Each city, town,  
6 or district must be promptly notified by the county treasurer  
7 whenever such transfer has been completed. However, in those  
8 districts wherein a treasurer, other than the county treasurer, has  
9 been appointed such transfer procedure does not apply, but the  
10 district shall promptly issue its warrant for payment of election  
11 costs. State and federal offices are to be considered one entity for  
12 purposes of election cost proration and reimbursement.

13 **Sec. 2.** RCW 29A.04.420 and 2013 c 11 s 11 are each amended to  
14 read as follows:

15 (1) Whenever federal officers, state officers, or state measures  
16 are voted upon at a state primary or general election held (~~in an~~  
17 ~~odd-numbered year~~) under RCW 29A.04.321, the state of Washington  
18 shall assume a prorated share of the costs of that state primary or  
19 general election for the federal and state offices and measures.

20 (2) Whenever a primary or vacancy election is held to fill a  
21 vacancy in the position of United States senator or United States  
22 representative under chapter 29A.28 RCW, the state of Washington  
23 shall assume a prorated share of the costs of that primary or vacancy  
24 election.

25 (3) The county auditor shall apportion the state's share of these  
26 expenses when prorating election costs under RCW 29A.04.410 and in  
27 accordance with the state budgeting, accounting, and reporting  
28 system, and shall file such expense claims with the secretary of  
29 state.

30 (4) The secretary of state shall include in his or her biennial  
31 budget requests sufficient funds to carry out this section.  
32 Reimbursements for election costs shall be from appropriations  
33 specifically provided by law for that purpose.

34 (5) State and federal offices are to be considered one entity for  
35 purposes of election cost proration and reimbursement.

36 **Sec. 3.** RCW 29A.04.216 and 2013 c 11 s 7 are each amended to  
37 read as follows:

1 The county auditor of each county shall be ex officio the  
2 supervisor of all primaries and elections, general or special, and it  
3 shall be the county auditor's duty to provide places for holding such  
4 primaries and elections; to provide the supplies and materials  
5 necessary for the conduct of elections; and to publish and post  
6 notices of calling such primaries and elections in the manner  
7 provided by law. The auditor shall also apportion to the county, each  
8 city, town, or district, and to the state of Washington (~~in the odd-~~  
9 ~~numbered year~~), its share of the expense of such primaries and  
10 elections. This section does not apply to general or special  
11 elections for any city, town, or district that is not subject to RCW  
12 29A.04.321 and 29A.04.330, but all such elections must be held and  
13 conducted at the time, in the manner, and by the officials (with such  
14 notice, requirements for filing for office, and certifications by  
15 local officers) as provided and required by the laws governing such  
16 elections. State and federal offices are to be considered one entity  
17 for purposes of election cost proration and reimbursement.

18 **Sec. 4.** RCW 29A.04.430 and 2003 c 111 s 148 are each amended to  
19 read as follows:

20 For any reimbursement of election costs under RCW 29A.04.420, the  
21 secretary of state shall pay (~~interest at an annual rate equal to~~  
22 ~~two percentage points in excess of the discount rate on ninety-day~~  
23 ~~commercial paper in effect at the federal reserve bank in San~~  
24 ~~Francisco on the fifteenth day of the month immediately preceding the~~  
25 ~~payment for any period of time in excess of~~) within thirty days  
26 after the receipt of a properly executed and documented voucher for  
27 such expenses and the entry of an allotment from specifically  
28 appropriated funds for this purpose until those funds are exhausted.  
29 If funds appropriated for this purpose are not sufficient to pay all  
30 claims, the secretary of state shall include a budget request to the  
31 legislature during the next legislative session for sufficient funds  
32 for reimbursement of all remaining claims and shall pay all properly  
33 executed and documented vouchers to the counties within thirty days  
34 of allotment of specifically appropriated funds for this purpose. The  
35 secretary of state shall promptly notify any county that submits an  
36 incomplete or inaccurate voucher for reimbursement under RCW  
37 29A.04.420.

1       **Sec. 5.** RCW 29A.64.081 and 2004 c 271 s 181 are each amended to  
2 read as follows:

3       The canvassing board shall determine the expenses for conducting  
4 a recount of votes.

5       (1) For a recount conducted under RCW 29A.64.011, the cost of the  
6 recount shall be deducted from the amount deposited by the applicant  
7 for the recount at the time of filing the request for the recount,  
8 and the balance shall be returned to the applicant. If the costs of  
9 the recount exceed the deposit, the applicant shall pay the  
10 difference. No charges may be deducted by the canvassing board from  
11 the deposit for a recount if the recount changes the result of the  
12 nomination or election for which the recount was ordered.

13       (2) For a recount conducted under RCW 29A.64.021, for an office  
14 where the candidates filed the declarations of candidacy with the  
15 secretary of state, any legislative office, and any congressional  
16 office, the county auditor shall file an expense claim for such costs  
17 with the secretary of state. The secretary of state shall include a  
18 budget request to the legislature during the next legislative session  
19 for sufficient funds for reimbursement of all costs of the recount  
20 and shall pay all properly executed and documented vouchers to the  
21 counties within thirty days of allotment of specifically appropriated  
22 funds for this purpose. The secretary of state shall promptly notify  
23 any county that submits an incomplete or inaccurate voucher for  
24 reimbursement under this section.

25       (3) State and federal offices are to be considered one entity for  
26 purposes of election cost proration and reimbursement.

27       NEW SECTION.   **Sec. 6.** This act takes effect July 1, 2020.

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