

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2421

Chapter 337, Laws of 2020

66th Legislature
2020 Regular Session

ELECTION COSTS--STATE REIMBURSEMENT

EFFECTIVE DATE: July 1, 2021

Passed by the House March 10, 2020
Yeas 96 Nays 1

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 4, 2020
Yeas 42 Nays 2

CYRUS HABIB

President of the Senate

Approved April 3, 2020 1:46 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2421** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 3, 2020

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2421

AS AMENDED BY THE SENATE

Passed Legislature - 2020 Regular Session

State of Washington **66th Legislature** **2020 Regular Session**

By House Appropriations (originally sponsored by Representatives Tarleton, Pollet, and Doglio)

READ FIRST TIME 02/11/20.

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,
3 29A.64.081, and 29A.32.210; 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 liable
8 for its proportionate share of the costs when such elections are held
9 in conjunction with other elections held under RCW 29A.04.321 and
10 29A.04.330.

11 Whenever any county, city, town, or district, or the state holds
12 any primary or election, general or special, on an isolated date, all
13 costs of such elections must be borne by the county, city, town, or
14 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 (~~(proration)~~) 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 2019 c 161 s 2 are each amended to
14 read as follows:

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

20 ~~(2) The state shall reimburse counties for~~) for the federal and
21 state offices and measures, including the prorated cost of return
22 postage, required to be included on return envelopes pursuant to RCW
23 29A.40.091(~~(, for all elections)~~).

24 (~~(3)~~) (2) Whenever a primary or vacancy election is held to
25 fill a vacancy in the position of United States senator or United
26 States representative under chapter 29A.28 RCW, the state of
27 Washington shall assume a prorated share of the costs of that primary
28 or vacancy election.

29 (~~(4)~~) (3) The county auditor shall apportion the state's share
30 of these expenses when prorating election costs under RCW 29A.04.410
31 and in accordance with the state budgeting, accounting, and reporting
32 system, shall file such expense claims with the secretary of state.

33 (~~(5)~~) (4) The secretary of state shall include in his or her
34 biennial budget requests sufficient funds to carry out this section.
35 Reimbursements for election costs shall be from appropriations
36 specifically provided by law for that purpose.

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

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

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

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

22 (1) For any reimbursement of election costs under RCW 29A.04.420,
23 the secretary of state shall pay ((interest at an annual rate equal
24 to two percentage points in excess of the discount rate on ninety-day
25 commercial paper in effect at the federal reserve bank in San
26 Francisco on the fifteenth day of the month immediately preceding the
27 payment for any period of time in excess of)) within thirty days
28 after the receipt of a properly executed and documented voucher for
29 such expenses and the entry of an allotment from specifically
30 appropriated funds for this purpose until those funds are exhausted.
31 If funds appropriated for this purpose are not sufficient to pay all
32 claims, the secretary of state shall include a budget request to the
33 legislature during the next legislative session for sufficient funds
34 for reimbursement of all remaining claims and shall pay all properly
35 executed and documented vouchers to the counties within thirty days
36 of allotment of specifically appropriated funds for this purpose. The
37 secretary of state shall promptly notify any county that submits an
38 incomplete or inaccurate voucher for reimbursement under RCW
39 29A.04.420.

1 (2) Funding provided in this section to counties for election
2 costs in even-numbered years is retrospective and prospective
3 reimbursement under RCW 43.135.060 for any new or increased
4 responsibilities under this title.

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

7 The canvassing board shall determine the expenses for conducting
8 a recount of votes.

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

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

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

31 **Sec. 6.** RCW 29A.32.210 and 2013 c 11 s 38 are each amended to
32 read as follows:

33 ~~((At least ninety days before))~~ Before any primary or general
34 election, or ~~((at least forty days before))~~ any special election held
35 under RCW 29A.04.321 or 29A.04.330, ~~((the legislative authority of~~
36 ~~any county or first-class or code city may adopt an ordinance~~
37 ~~authorizing the publication and distribution of))~~ each county auditor
38 shall print and distribute a local voters' pamphlet. The pamphlet

1 shall provide information on all measures (~~((within that jurisdiction~~
2 ~~and may, if specified in the ordinance, include information on))~~ and
3 candidates within that jurisdiction. (~~(If both a county and a first-~~
4 ~~class or code city within that county authorize a local voters'~~
5 ~~pamphlet for the same election, the pamphlet shall be produced~~
6 ~~jointly by the county and the first-class or code city. If no~~
7 ~~agreement can be reached between the county and first-class or code~~
8 ~~city, the county and first-class or code city may each produce a~~
9 ~~pamphlet. Any ordinance adopted authorizing a local voters' pamphlet~~
10 ~~may be for a specific primary, special election, or general election~~
11 ~~or for any future primaries or elections.))~~ The format of any local
12 voters' pamphlet shall, whenever applicable, comply with the
13 provisions of this chapter regarding the publication of the state
14 candidates' and voters' pamphlets.

15 NEW SECTION. **Sec. 7.** This act takes effect July 1, 2021.

Passed by the House March 10, 2020.

Passed by the Senate March 4, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

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