

---

HOUSE BILL 1716

---

State of Washington

67th Legislature

2022 Regular Session

By Representatives Valdez, Dolan, and Pollet

Prefiled 12/28/21. Read first time 01/10/22. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to locations at which ballots may be cast; and  
2 amending RCW 29A.08.140, 29A.40.160, and 29A.84.510.

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

4 **Sec. 1.** RCW 29A.08.140 and 2020 c 208 s 22 are each amended to  
5 read as follows:

6 (1) In order to vote in any primary, special election, or general  
7 election, a person who is not registered to vote in Washington must:

8 (a) Submit a registration application that is received by an  
9 election official no later than eight days before the day of the  
10 primary, special election, or general election. For purposes of this  
11 subsection (1)(a), "received" means: (i) Being physically received by  
12 an election official by the close of business of the required  
13 deadline; or (ii) for applications received online or electronically,  
14 by midnight, of the required deadline; or

15 (b) Register in person at a county auditor's office, the division  
16 of elections if in a separate ((city)) location from the county  
17 auditor's office, a voting center, a student engagement hub, or other  
18 location designated by the county auditor no later than 8:00 p.m. on  
19 the day of the primary(~~, special election,~~) or general election, or  
20 a special election in which the county is conducting an election.

1 (2) (a) In order to change a residence address for voting in any  
2 primary, special election, or general election, a person who is  
3 already registered to vote in Washington may update his or her  
4 registration by:

5 (i) Submitting an address change using a registration application  
6 or making notification via any non-in-person method that is received  
7 by election officials no later than eight days before the day of the  
8 primary, special election, or general election; or

9 (ii) Appearing in person, at a county auditor's office, the  
10 division of elections if in a separate (~~city~~) location from the  
11 county auditor's office, a voting center, or other location  
12 designated by the county auditor, no later than 8:00 p.m. on the day  
13 of the primary, special election, or general election to be in effect  
14 for that primary(~~, special election,~~) or general election, or a  
15 special election in which the county is conducting an election.

16 (b) A registered voter who fails to update his or her residential  
17 address by this deadline may vote according to his or her previous  
18 registration address.

19 (3) To register or update a voting address in person at a county  
20 auditor's office, a voting center, or other location designated by  
21 the county auditor, a person must appear in person at a county  
22 auditor's office, a voting center, or other location designated by  
23 the county auditor at a time when the facility is open and complete  
24 the voter registration application by providing the information  
25 required by RCW 29A.08.010.

26 **Sec. 2.** RCW 29A.40.160 and 2019 c 6 s 6 are each amended to read  
27 as follows:

28 (1) Each county auditor shall open a voting center each primary,  
29 special election, and general election. The voting center shall be  
30 open during business hours during the voting period, which begins  
31 eighteen days before, and ends at 8:00 p.m. on the day of, the  
32 primary, special election, or general election.

33 (2) Each county auditor shall register voters in person at each  
34 of the following locations in the county:

35 (a) At the county auditor's office(~~+~~  
36 ~~(b) At~~) or at the division of elections, if located in a  
37 separate (~~city~~) location from the county auditor's office; and

38 (~~(c)~~) (b) For each presidential general election, at a voting  
39 center in each city in the county with a population of one hundred

1 thousand or greater, which does not have a voting center as required  
2 in (a) (~~(-or-(b-))~~) of this subsection. A voting center opened pursuant  
3 to this subsection (2) is not required to be open on the Sunday  
4 before the presidential election.

5 (3) Voting centers shall be located in public buildings or  
6 buildings that are leased by a public entity including, but not  
7 limited to, libraries.

8 (4) Each voting center, and at least one of the other locations  
9 designated by the county auditor to allow voters to register in  
10 person pursuant to RCW 29A.08.140(1)(b), must provide voter  
11 registration materials, ballots, provisional ballots, disability  
12 access voting units, sample ballots, instructions on how to properly  
13 vote the ballot, a ballot drop box, and voters' pamphlets, if a  
14 voters' pamphlet has been published.

15 (5) Each voting center must be accessible to persons with  
16 disabilities. Each state agency and entity of local government shall  
17 permit the use of any of its accessible facilities as voting centers  
18 when requested by a county auditor.

19 (6) Each voting center must provide at least one voting unit  
20 certified by the secretary of state that provides access to  
21 individuals who are blind or visually impaired, enabling them to vote  
22 with privacy and independence.

23 (7) No person may interfere with a voter attempting to vote in a  
24 voting center. Interfering with a voter attempting to vote is a  
25 violation of RCW 29A.84.510. The county auditor shall designate by  
26 administrative rule a specific point or points as the entrance to  
27 each voting center, taking into account the unique attributes of the  
28 voting center, to assure that voters have the ability to arrive and  
29 depart unimpeded.

30 (8) Before opening the voting center, the voting equipment shall  
31 be inspected to determine if it has been properly prepared for  
32 voting. If the voting equipment is capable of direct tabulation of  
33 each voter's choices, the county auditor shall verify that no votes  
34 have been registered for any issue or office, and that the device has  
35 been sealed with a unique numbered seal at the time of final  
36 preparation and logic and accuracy testing. A log must be made of all  
37 device numbers and seal numbers.

38 (9) The county auditor shall require any person desiring to vote  
39 at a voting center to either sign a ballot declaration or provide  
40 identification.

1 (a) The signature on the declaration must be compared to the  
2 signature on the voter registration record before the ballot may be  
3 counted. If the voter registered using a mark, or can no longer sign  
4 his or her name, the election officers shall require the voter to be  
5 identified by another registered voter.

6 (b) The identification must be valid photo identification, such  
7 as a driver's license, state identification card, student  
8 identification card, tribal identification card, or employer  
9 identification card. A tribal identification card is not required to  
10 include a residential address or an expiration date to be considered  
11 valid under this section. Any individual who desires to vote in  
12 person but cannot provide identification shall be issued a  
13 provisional ballot, which shall be accepted if the signature on the  
14 declaration matches the signature on the voter's registration record.

15 (10) Provisional ballots must be accompanied by a declaration and  
16 security envelope, as required by RCW 29A.40.091, and space for the  
17 voter's name, date of birth, current and former registered address,  
18 reason for the provisional ballot, and disposition of the provisional  
19 ballot. The voter shall vote and return the provisional ballot at the  
20 voting center. The voter must be provided information on how to  
21 ascertain whether the provisional ballot was counted and, if  
22 applicable, the reason why the vote was not counted.

23 (11) Any voter may take printed or written material into the  
24 voting device to assist in casting his or her vote. The voter shall  
25 not use this material to electioneer and shall remove it when he or  
26 she leaves the voting center.

27 (12) If any voter states that he or she is unable to cast his or  
28 her votes due to a disability, the voter may designate a person of  
29 his or her choice, or two election officers, to enter the voting  
30 booth and record the votes as he or she directs.

31 (13) No voter is entitled to vote more than once at a primary,  
32 special election, or general election. If a voter incorrectly marks a  
33 ballot, he or she may be issued a replacement ballot.

34 (14) A voter who has already returned a ballot but requests to  
35 vote at a voting center shall be issued a provisional ballot. The  
36 canvassing board shall not count the provisional ballot if it finds  
37 that the voter has also voted a regular ballot in that primary,  
38 special election, or general election.

1 (15) Any voter who is inside or in line at the voting center at  
2 8:00 p.m. on the day of the primary, special election, or general  
3 election must be allowed to vote.

4 (16) For each primary, special election, and general election,  
5 the county auditor may provide election services at locations in  
6 addition to the voting center. The county auditor has discretion to  
7 establish which services will be provided at the additional  
8 locations, and which days and hours the locations will be open.

9 **Sec. 3.** RCW 29A.84.510 and 2013 c 11 s 82 are each amended to  
10 read as follows:

11 (1) During the voting period that begins eighteen days before and  
12 ends the day of a special election, general election, or primary, no  
13 person may:

14 (a) Within a voting center or student engagement hub or in any  
15 public street or room in any public manner within 100 feet measured  
16 radially from the entrance to a voting center or student engagement  
17 hub or 25 feet measured radially from a ballot drop box as described  
18 in RCW 29A.40.170:

19 (i) Suggest or persuade or attempt to suggest or persuade any  
20 voter to vote for or against any candidate or ballot measure;

21 (ii) Circulate cards or handbills of any kind;

22 (iii) Solicit signatures to any kind of petition; or

23 (iv) Engage in any practice which interferes with the freedom of  
24 voters to exercise their franchise or disrupts the administration of  
25 the voting center;

26 (b) Engage in any activities restricted under (a) of this  
27 subsection through electronic amplification located more than 100  
28 feet from an entrance to a voting center or student engagement hub or  
29 25 feet from an entrance to a ballot drop box if the person is  
30 capable of being understood within 100 feet of the voting center or  
31 student engagement hub or 25 feet of the ballot drop box;

32 (c) Obstruct the doors or entries to a building in which a voting  
33 center or ballot drop location is located or prevent free access to  
34 and from any voting center or ballot drop location.

35 (2) The auditor shall post a sign at the point or points  
36 specified at each voting center as required by RCW 29A.40.160 during  
37 the voting period providing notice of the prohibition in subsection  
38 (1)(a) of this section.

1       (3) Any sheriff, deputy sheriff, or municipal law enforcement  
2 officer shall stop the prohibited activity, and may arrest any person  
3 engaging in the prohibited activity.

4       (~~(3)~~) (4) Any violation of this section is a gross misdemeanor,  
5 punishable to the same extent as a gross misdemeanor that is  
6 punishable under RCW 9A.20.021, and the person convicted may be  
7 ordered to pay the costs of prosecution.

--- **END** ---