
SUBSTITUTE SENATE BILL 6269

State of Washington

68th Legislature

2024 Regular Session

By Senate State Government & Elections (originally sponsored by Senators Valdez, Hunt, Kuderer, Nobles, and Saldaña)

READ FIRST TIME 01/31/24.

1 AN ACT Relating to establishing an alternative voter verification
2 options pilot project; reenacting and amending RCW 29A.40.110; adding
3 a new section to chapter 29A.40 RCW; and providing an expiration
4 date.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 29A.40
7 RCW to read as follows:

8 (1) The secretary of state shall establish the alternative
9 verification options pilot project. The purpose of the pilot project
10 is to allow for the development and testing of supplemental methods,
11 other than signature verification, to verify that a ballot was filled
12 out and returned by the intended voter.

13 (2) Any county may apply to participate in the alternative
14 verification options pilot project. The county auditor of any county
15 that wishes to participate in the pilot project must submit an
16 application to the office of the secretary of state. The office of
17 the secretary of state must approve the county auditor's application
18 before the county can participate in the pilot project.

19 (a) The application submitted by the county auditor must include
20 at least the following:

1 (i) A description of the alternative verification method or
2 methods the county auditor plans to utilize and how the method or
3 methods comply with the requirements of (b) of this subsection;

4 (ii) Details on how the proposed alternative verification method
5 or methods will be implemented; and

6 (iii) Which election the county plans to use the proposed
7 alternative verification method or methods in.

8 (b) Each alternative verification method proposed for use in the
9 pilot project must:

10 (i) Allow the voter to submit clear evidence which can be
11 verified by the county auditor indicating that the intended voter was
12 the one who filled out and returned the ballot;

13 (ii) Establish criteria for determining accepted and failed
14 verifications;

15 (iii) Require the voter to attest to the ballot declaration; and

16 (iv) Be compatible with the centralized statewide voter
17 registration list maintained by the secretary of state.

18 (c) Counties may participate in the pilot project during any
19 special election held on the second Tuesday in February or the fourth
20 Tuesday in April as provided in RCW 29A.04.321 and 29A.04.330. A
21 county may not participate in the pilot project during a special
22 election held in a jurisdiction that is not wholly contained within
23 one county, unless all counties involved in the special election
24 agree to participate jointly in the pilot project.

25 (d) Each application to participate in the pilot project shall be
26 limited to the special election or elections held on a single date. A
27 county may participate in the pilot project during multiple special
28 election dates, but the county auditor must submit a separate
29 application for approval by the office of the secretary of state for
30 each special election date.

31 (e) The office of the secretary of state shall review each
32 application, the feasibility of each proposed alternative
33 verification method and whether each proposed alternative
34 verification method complies with the requirements of (b) of this
35 subsection before determining whether to approve or deny the
36 application.

37 (f) The secretary of state may establish additional rules
38 governing application content, application submittal, and the
39 application approval process as necessary, including deadlines for

1 the submittal and approval of applications before each special
2 election.

3 (g) The secretary of state may establish reasonable rules related
4 to the standards and procedures for the examination and testing of
5 alternative verification systems.

6 (h) (i) If the application is approved by the secretary of state,
7 not later than 90 days before the election, the county auditor shall
8 notify each city, town, or special taxing district located wholly
9 within that county that an alternative verification option will be
10 used.

11 (ii) Each unit of local government may petition the legislative
12 authority of the county for a waiver to opt-out of this pilot
13 project. The legislative authority of the county may provide such a
14 waiver if it does so not later than 60 days before the election and
15 it finds that the waiver is reasonable.

16 (iii) If a waiver is granted, no precincts within the unit of
17 local government may use the alternative verification option.

18 (3) During the special election in which a county is
19 participating in the alternative verification options pilot project,
20 the county may accept and canvass any ballot that can be verified as
21 being returned by the intended voter through an alternative
22 verification method that was approved by the secretary of state for
23 use by that county in the pilot project, even if a signature that
24 matches a signature of that voter in the registration files of the
25 county is not included with the ballot declaration as normally
26 required by RCW 29A.40.110.

27 (a) The county auditor must notify the governing authorities of
28 all jurisdictions with a race or measure on the ballot that the
29 county is participating in the alternative verification options pilot
30 project and provide information on the alternative verification
31 method or methods that have been approved for use as soon as
32 practicable after receiving approval from the secretary of state.

33 (b) Any voter in a county participating in the pilot project must
34 still have their ballot counted if the signature on the ballot
35 declaration matches a signature of that voter in the registration
36 files of the county. The alternative verification method or methods
37 utilized by the county for the pilot project may not entirely replace
38 signature verification.

39 (c) If a voter has returned a ballot attempting to utilize an
40 alternative verification method, but the county auditor is unable to

1 verify that the ballot was returned by that voter, the county auditor
2 shall follow the same procedures as if the voter neglected to sign
3 the ballot declaration as outlined in RCW 29A.60.165.

4 (d) Any information provided by the voter in order to verify that
5 they voted the ballot as part of the pilot project is exempt from
6 public disclosure following the same rules as pertain to voter
7 signatures on ballot return envelopes in RCW 29A.04.260 and
8 42.56.425.

9 (4) (a) The county auditor shall provide a report to the secretary
10 of state on their participation in the alternative verification
11 options pilot project no later than 30 days after the certification
12 of each special election in which their county participates in the
13 pilot project. This report must describe the alternative verification
14 method or methods utilized, the number of voters that used each
15 method, the ballot rejection rate for that election and a comparison
16 to the ballot rejection rate for prior similar elections in that
17 county, and any relevant information related to the administration of
18 each method.

19 (b) The secretary of state shall provide reports on the progress
20 of the alternative verification options pilot project to the
21 governor, appropriate committees of the legislature, and county
22 auditors no later than December 31st of each year. The report must
23 describe the alternative verification methods utilized by each county
24 that year, the number of voters that used each method in each
25 election, the impact of alternative verification methods on ballot
26 rejection rates, and any relevant other findings of the pilot
27 project.

28 (c) The secretary of state shall provide a final report on the
29 alternative verification options pilot project to the governor,
30 appropriate committees of the legislature, and county auditors no
31 later than December 31, 2028. The report must describe all
32 alternative verification methods utilized by each county, the number
33 of voters that used each method in each election, the impact of
34 alternative verification methods on ballot rejection rates, and any
35 other relevant findings of the pilot project.

36 **Sec. 2.** RCW 29A.40.110 and 2011 c 349 s 18, 2011 c 348 s 4, and
37 2011 c 10 s 41 are each reenacted and amended to read as follows:

38 (1) The opening and subsequent processing of return envelopes for
39 any primary or election may begin upon receipt. The tabulation of

1 absentee ballots must not commence until after 8:00 p.m. on the day
2 of the primary or election.

3 (2) All received return envelopes must be placed in secure
4 locations from the time of delivery to the county auditor until their
5 subsequent opening. After opening the return envelopes, the county
6 canvassing board shall place all of the ballots in secure storage
7 until processing. Ballots may be taken from the inner envelopes and
8 all the normal procedural steps may be performed to prepare these
9 ballots for tabulation.

10 (3) The canvassing board, or its designated representatives,
11 shall examine the postmark on the return envelope and signature on
12 the declaration before processing the ballot. The ballot must either
13 be received no later than 8:00 p.m. on the day of the primary or
14 election, or must be postmarked no later than the day of the primary
15 or election. All personnel assigned to verify signatures must receive
16 training on statewide standards for signature verification. Personnel
17 shall verify that the voter's signature on the ballot declaration is
18 the same as the signature of that voter in the registration files of
19 the county. Verification may be conducted by an automated
20 verification system approved by the secretary of state. A variation
21 between the signature of the voter on the ballot declaration and the
22 signature of that voter in the registration files due to the
23 substitution of initials or the use of common nicknames is permitted
24 so long as the surname and handwriting are clearly the same. A county
25 that is participating in the alternative verification options pilot
26 project under section 1 of this act may also verify a voter's ballot
27 using an alternative verification method approved by the office of
28 the secretary of state.

29 (4) If the postmark is missing or illegible, the date on the
30 ballot declaration to which the voter has attested determines the
31 validity, as to the time of voting, for that ballot. For overseas
32 voters and service voters, the date on the declaration to which the
33 voter has attested determines the validity, as to the time of voting,
34 for that ballot. Any overseas voter or service voter may return the
35 signed declaration and voted ballot by fax or email by 8:00 p.m. on
36 the day of the primary or election, and the county auditor must use
37 established procedures to maintain the secrecy of the ballot.

1 NEW SECTION. **Sec. 3.** This act expires January 1, 2029.

--- **END** ---