
SECOND SUBSTITUTE SENATE BILL 6035

State of Washington

69th Legislature

2026 Regular Session

By Senate Ways & Means (originally sponsored by Senators Kauffman, Frame, Lias, Nobles, Riccelli, Slatter, Stanford, Trudeau, and Valdez)

READ FIRST TIME 02/09/26.

1 AN ACT Relating to ensuring access to voting services for
2 military, overseas, Native American, and disabled voters; adding a
3 new chapter to Title 29A RCW; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** (1) To the extent practicable, each county
6 auditor shall schedule the following meetings with each federally
7 recognized Indian tribe located in whole or in part within the
8 county:

9 (a) Not later than August 1st of each odd-numbered year, a
10 meeting to discuss the details for the next regularly scheduled
11 election cycle. Such a meeting may address, without limitation:

12 (i) The establishment and operation of voting centers or ballot
13 drop boxes within an Indian reservation and the size requirements for
14 any such voting centers or ballot drop boxes;

15 (ii) The dates and times of the upcoming elections for which
16 voting centers or ballot drop boxes may be established;

17 (iii) The deadlines relating to the next regularly scheduled
18 election cycle for the federally recognized Indian tribe to submit a
19 request for the establishment of voting centers or ballot drop boxes;

20 (iv) Responsibilities for the recruitment of election officers;
21 and

1 (v) Any other information relating to the establishment and
2 operation of voting centers and ballot drop boxes;

3 (b) Not later than September 1st of each odd-numbered year, a
4 meeting to confirm any details relating to the establishment and
5 operation of voting centers or ballot drop boxes. Such a meeting may
6 address, without limitation:

7 (i) Whether the federally recognized Indian tribe will request or
8 has requested to establish any voting centers or ballot drop boxes
9 within an Indian reservation and the size requirements for any such
10 voting centers and ballot drop boxes;

11 (ii) The days and hours of any voting center or ballot drop box
12 established within an Indian reservation;

13 (iii) Election officers for any voting center or ballot drop box
14 established within an Indian reservation; and

15 (iv) The deadlines relating to the next regularly scheduled
16 election cycle for the federally recognized Indian tribe to submit a
17 request for the establishment of voting centers or ballot drop boxes;
18 and

19 (c) A meeting on an ongoing basis during the year of an election
20 if a federally recognized Indian tribe elects to establish any voting
21 centers or ballot drop boxes within an Indian reservation.

22 (2) If a county auditor:

23 (a) Is unable to make contact with a federally recognized Indian
24 tribe to carry out the requirements of subsection (1) of this
25 section, the county auditor shall contact the secretary of state to
26 facilitate contact; or

27 (b) Has not contacted a federally recognized Indian tribe, a
28 representative of the federally recognized Indian tribe may contact
29 the secretary of state to facilitate contact.

30 (3) The tribal liaison designated by the secretary of state may
31 assist the county auditor or a federally recognized Indian tribe to
32 facilitate any contact required pursuant to this section.

33 NEW SECTION. **Sec. 2.** Each biennium, the secretary of state must
34 meet with the federally recognized Indian tribes of the state to
35 provide a forum for discussing and addressing barriers to voting,
36 including but not limited to:

37 (1) Education and outreach tools for tribal voters;

38 (2) The use of tribal identification card data for online voter
39 registration;

- 1 (3) Assistance with tribal-led voter registration drives;
- 2 (4) Establishment of ballot mailing sites on tribal land for
- 3 voters with nontraditional mailing addresses;
- 4 (5) Installation of ballot drop boxes on or near tribal lands;
- 5 (6) Providing students with information about voting and
- 6 opportunities to register or preregister to vote;
- 7 (7) Personalized voter registration links, emails with election
- 8 date reminders, and meetings or presentations on various elections
- 9 topics; and
- 10 (8) Any other policy issues or tribal concerns.

11 NEW SECTION. **Sec. 3.** (1) The secretary of state may employ an
12 electronic ballot portal that has been fully evaluated and has passed
13 a rigorous testing, cybersecurity, and certification process, as
14 described in subsection (3) of this section, to be available for the
15 following registered voters:

- 16 (a) Service voters as defined in RCW 29A.04.163;
- 17 (b) Overseas voters as defined in RCW 29A.04.109;
- 18 (c) Disabled voters as defined in RCW 29A.04.037; and
- 19 (d) Any elector who is a member of a federally recognized Indian
- 20 tribe and resides on an Indian reservation.

21 (2) Only the voters described in subsection (1) of this section
22 shall be permitted to use the electronic ballot portal to return
23 voted ballots.

24 (3)(a) Prior to use in conducting any primary or election, the
25 secretary of state must evaluate and approve the electronic ballot
26 portal as described in this subsection (3) and section 4 of this act.

27 (b)(i) The secretary of state shall make reasonable rules to
28 develop and test the methods of ballot return provided by the
29 electronic ballot portal for voters described in subsection (1) of
30 this section. The rules must provide that the electronic ballot
31 portal be secure against electronic monitoring and incursion or
32 interference, provide the maximum level of voter secrecy and privacy
33 available, ensure that only a single vote is cast by any voter, and
34 provide an auditable paper record at the receiving end.

35 (ii) The secretary of state shall make reasonable rules governing
36 the use of the electronic ballot portal that include times of
37 availability, storage of ballots, and the circumstance in which a
38 voter described in subsection (1) of this section may use the portal
39 to return a voted ballot.

1 (iii) The secretary of state shall make reasonable rules related
2 to the standards and procedures for the evaluation, examination, and
3 testing of the electronic ballot portal.

4 (c)(i) Each county election office using the electronic ballot
5 portal for the return of voted ballots must keep a record of every
6 attempt at ballot return, successful and unsuccessful, and prepare a
7 report at the conclusion of each voting period listing the number of
8 ballots returned using the portal and confirming that only voters
9 described in subsection (1) of this section used the portal. The
10 report must be submitted to the secretary of state using the
11 deadlines contained in RCW 29A.60.190.

12 (ii) The secretary of state shall prepare a statewide report
13 annually aggregating the information provided by each county.

14 (4) The secretary of state must initially adopt the rules
15 required by subsection (3)(b) of this section no later than January
16 1, 2029, with the goal of implementing the electronic ballot portal
17 no later than January 1, 2031.

18 NEW SECTION. **Sec. 4.** (1) For purposes of section 3(3)(a) of
19 this act, the secretary of state may rely on the results of
20 independent design, engineering, and performance evaluations, with
21 the source and scope of these independent evaluations specified by
22 rule adopted under section 3(3)(b) of this act.

23 (2) The secretary of state may contract with experts to assist in
24 examining an electronic ballot portal design developed under section
25 3 of this act, who must ensure potential portal designs have:

26 (a) Undergone a robust testing regime;

27 (b) Received a cybersecurity evaluation from an accredited
28 source; and

29 (c) The ability to reproduce an auditable paper record.

30 (3) After an examination of an electronic ballot portal design,
31 the secretary of state may develop and test an initial electronic
32 ballot portal design in phases. The initial test phase shall include
33 a test group composed of voters who have been issued a common access
34 card (CAC).

35 (4) The secretary of state may consult with experts to assist in
36 drafting reasonable rules under section 3(3)(b) of this act,
37 including:

38 (a) County auditors;

1 (b) Representatives from the University of Washington Evans
2 school of public policy and governance;

3 (c) Representatives with expertise in electronic voting methods;
4 and

5 (d) Cybersecurity experts from the public sector, private
6 cybersecurity firms, and the military.

7 (5) The secretary of state shall provide the legislature with an
8 annual report of any examination or test results of an electronic
9 ballot portal design developed under section 3 of this act.

10 (6) This section expires January 1, 2034.

11 NEW SECTION. **Sec. 5.** The definitions in this section apply
12 throughout this chapter unless the context clearly requires
13 otherwise.

14 "Federally recognized Indian tribe" means any federally
15 recognized Indian tribe whose traditional lands and territories
16 included parts of Washington as described in RCW 43.376.010.

17 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act
18 constitute a new chapter in Title 29A RCW.

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