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HOUSE BILL 1377

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State of Washington

64th Legislature

2015 Regular Session

By Representatives Shea, Holy, Reykdal, Condotta, Van De Wege, and McCaslin

Read first time 01/19/15. Referred to Committee on State Government.

1 AN ACT Relating to prohibiting county auditors from including  
2 their names on ballot envelopes and voting materials when running for  
3 reelection; and amending RCW 29A.32.241 and 29A.40.091.

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

5 **Sec. 1.** RCW 29A.32.241 and 2011 c 10 s 29 are each amended to  
6 read as follows:

7 The local voters' pamphlet shall include but not be limited to  
8 the following:

9 (1) Appearing on the cover, the words "official local voters'  
10 pamphlet," the name of the jurisdiction producing the pamphlet, and  
11 the date of the election or primary;

12 (2) A list of jurisdictions that have measures or candidates in  
13 the pamphlet;

14 (3) Information on how a person may register to vote and obtain a  
15 ballot;

16 (4) The text of each measure accompanied by an explanatory  
17 statement prepared by the prosecuting attorney for any county measure  
18 or by the attorney for the jurisdiction submitting the measure if  
19 other than a county measure. All explanatory statements for city,  
20 town, or district measures not approved by the attorney for the  
21 jurisdiction submitting the measure shall be reviewed and approved by

1 the county prosecuting attorney or city attorney, when applicable,  
2 before inclusion in the pamphlet;

3 (5) The arguments for and against each measure submitted by  
4 committees selected pursuant to RCW 29A.32.280; and

5 (6) For partisan primary elections, information on how to vote  
6 the applicable ballot format and an explanation that minor political  
7 party candidates and independent candidates will appear only on the  
8 general election ballot.

9 The county auditor's name may not appear in the local voters'  
10 pamphlet in his or her official capacity if the county auditor is a  
11 candidate for office during the same year. His or her name may only  
12 be included as part of the information normally included for  
13 candidates.

14 **Sec. 2.** RCW 29A.40.091 and 2013 c 11 s 49 are each amended to  
15 read as follows:

16 (1) The county auditor shall send each voter a ballot, a security  
17 envelope in which to conceal the ballot after voting, a larger  
18 envelope in which to return the security envelope, a declaration that  
19 the voter must sign, and instructions on how to obtain information  
20 about the election, how to mark the ballot, and how to return the  
21 ballot to the county auditor.

22 (2) The voter must swear under penalty of perjury that he or she  
23 meets the qualifications to vote, and has not voted in any other  
24 jurisdiction at this election. The declaration must clearly inform  
25 the voter that it is illegal to vote if he or she is not a United  
26 States citizen; it is illegal to vote if he or she has been convicted  
27 of a felony and has not had his or her voting rights restored; and it  
28 is illegal to cast a ballot or sign a ballot declaration on behalf of  
29 another voter. The ballot materials must provide space for the voter  
30 to sign the declaration, indicate the date on which the ballot was  
31 voted, and include a telephone number.

32 (3) For overseas and service voters, the signed declaration  
33 constitutes the equivalent of a voter registration. Return envelopes  
34 for overseas and service voters must enable the ballot to be returned  
35 postage free if mailed through the United States postal service,  
36 United States armed forces postal service, or the postal service of a  
37 United States foreign embassy under 39 U.S.C. 3406.

38 (4) The voter must be instructed to either return the ballot to  
39 the county auditor no later than 8:00 p.m. the day of the election or

1 primary, or mail the ballot to the county auditor with a postmark no  
2 later than the day of the election or primary. Service and overseas  
3 voters must be provided with instructions and a privacy sheet for  
4 returning the ballot and signed declaration by fax or e-mail. A voted  
5 ballot and signed declaration returned by fax or e-mail must be  
6 received by 8:00 p.m. on the day of the election or primary.

7 The county auditor's name may not appear on the security  
8 envelope, the return envelope, or on any voting instructions or  
9 materials included with the ballot if he or she is a candidate for  
10 office during the same year.

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