

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5063

Chapter 161, Laws of 2019

66th Legislature
2019 Regular Session

ELECTION BALLOTS--PREPAID POSTAGE

EFFECTIVE DATE: July 1, 2019

Passed by the Senate April 18, 2019
Yeas 44 Nays 5

CYRUS HABIB

President of the Senate

Passed by the House April 12, 2019
Yeas 83 Nays 10

FRANK CHOPP

Speaker of the House of Representatives

Approved April 29, 2019 2:06 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5063** as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

Secretary

FILED

April 30, 2019

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5063

AS AMENDED BY THE HOUSE

Passed Legislature - 2019 Regular Session

State of Washington 66th Legislature 2019 Regular Session

By Senate Ways & Means (originally sponsored by Senators Nguyen, Hasegawa, Billig, Carlyle, Cleveland, Conway, Darneille, Frockt, Palumbo, Hunt, Wilson, C., Pedersen, Keiser, Kuderer, Saldaña, Mullet, and Takko; by request of Governor Inslee)

READ FIRST TIME 03/01/19.

1 AN ACT Relating to prepaid postage for all election ballots;
2 amending RCW 29A.04.420 and 29A.40.091; creating a new section;
3 providing an effective date; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that voting by mail
6 has many advantages. However, the legislature also finds that while
7 the cost of ballot return postage may only be a small amount, passing
8 the burden along to Washington's citizens, many of whom no longer
9 need stamps in their everyday lives, is an unnecessary barrier to
10 fully participate in the democratic process. The legislature further
11 finds that in order to continue to increase participation in our
12 democracy, we must lower all barriers to participation in the
13 democratic process. The legislature finds that voting should be free
14 for all citizens.

15 **Sec. 2.** RCW 29A.04.420 and 2013 c 11 s 11 are each amended to
16 read as follows:

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

1 (2) The state shall reimburse counties for the cost of return
2 postage, required to be included on return envelopes pursuant to RCW
3 29A.40.091, for all elections.

4 (3) Whenever a primary or vacancy election is held to fill a
5 vacancy in the position of United States senator or United States
6 representative under chapter 29A.28 RCW, the state of Washington
7 shall assume a prorated share of the costs of that primary or vacancy
8 election.

9 (~~(3)~~) (4) The county auditor shall apportion the state's share
10 of these expenses when prorating election costs under RCW 29A.04.410
11 and shall file such expense claims with the secretary of state.

12 (~~(4)~~) (5) The secretary of state shall include in his or her
13 biennial budget requests sufficient funds to carry out this section.
14 Reimbursements for election costs shall be from appropriations
15 specifically provided by law for that purpose.

16 **Sec. 3.** RCW 29A.40.091 and 2016 c 83 s 3 are each amended to
17 read as follows:

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

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

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

1 (4) The voter must be instructed to either return the ballot to
2 the county auditor no later than 8:00 p.m. the day of the election or
3 primary, or mail the ballot to the county auditor with a postmark no
4 later than the day of the election or primary. Return envelopes for
5 all election ballots must include prepaid postage. Service and
6 overseas voters must be provided with instructions and a privacy
7 sheet for returning the ballot and signed declaration by fax or
8 email. A voted ballot and signed declaration returned by fax or email
9 must be received by 8:00 p.m. on the day of the election or primary.

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

14 (6) For purposes of this section, "prepaid postage" means any
15 method of return postage paid by the county or state.

16 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
17 preservation of the public peace, health, or safety, or support of
18 the state government and its existing public institutions, and takes
19 effect July 1, 2019.

Passed by the Senate April 18, 2019.
Passed by the House April 12, 2019.
Approved by the Governor April 29, 2019.
Filed in Office of Secretary of State April 30, 2019.

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