

HOUSE BILL ANALYSIS

SB 6274

Title: AN ACT Relating to replacement ballots.

Brief Description: Harmonizing procedures for replacement absentee and mail ballots.

Sponsor: Senators Patterson and Wojahn.

BRIEF SUMMARY

- Alters requirements for replacement mail ballots to be issued, including allowing requests for replacement mail ballots to be made by mail , telephone, or other electronic means.
- Allows replacement absentee ballots to be issued.
- A replacement ballot is counted only if the original ballot is both not received and the replacement ballot meets all other requirements necessary for a regular absentee ballot or mail ballot to be tabulated.

HOUSE STATE GOVERNMENT COMMITTEE

Staff: Steve Lundin (786-7127)

BACKGROUND:

Voters may vote using different procedures, including casting regular ballots at polling places, casting absentee ballots, and casting mail ballots. Election staff compare the voter's signature on the outer return envelope with the voter's signature on voter registration records before the inner security envelope containing the absentee ballot or mail ballot is removed and the ballot is counted.

Provision is made for special ballots to be issued to voters at polling places on election day under certain circumstances, including if the voter's name does not appear on the registration lists. Special ballots are secured apart from regular ballots and their validity is determined by either the county canvassing board or is delegated to election staff.

Provision is made for replacement ballots to be issued to voters when mail ballots are used. Replacement mail ballots may only be requested in person at the office of the county auditor or other central location. A replacement mail ballot may be issued if a mail ballot is destroyed, spoiled, lost, or not received by the voter. A spoiled mail ballot must be returned before a replacement mail ballot is issued. Records are maintained of replacement mail ballots that are issued.

No express statutory provision exists for issuing replacement ballots to absentee voters.

SUMMARY:

A replacement mail ballot may be requested in person, by mail, by telephone, or by other electronic transmission. The request for a replacement mail ballot must be received by the county auditor before the close of polling places on the day of the election. The requirement is deleted that a voter must sign a sworn statement detailing the reason for the replacement ballot. A replacement mail ballot may be issued if the ballot is damaged, rather than being spoiled. The requirement is deleted that a soiled mail ballot must be returned before a replacement mail ballot is issued.

A replacement mail ballot may only be counted if the original ballot is not received by the county auditor and the replacement mail ballot meets all requirements for tabulation necessary for the tabulation of regular mail ballots.

Express provision is made for replacement absentee ballots to be issued to absentee voters with details that are identical to details for issuing replacement mail ballots.

Rule Making Authority: No express authority.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Bill: Ninety days after adjournment of the session in which the bill is enacted.