
SENATE BILL 5779

State of Washington

66th Legislature

2019 Regular Session

By Senators Kuderer, Hunt, Takko, and Dhingra

1 AN ACT Relating to ballot drop box placement requirements; and
2 amending RCW 29A.40.160.

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

4 **Sec. 1.** RCW 29A.40.160 and 2018 c 112 s 4 are each amended to
5 read as follows:

6 (1) Each county auditor shall open a voting center each primary,
7 special election, and general election. The voting center shall be
8 open during business hours during the voting period, which begins
9 eighteen days before, and ends at 8:00 p.m. on the day of, the
10 primary, special election, or general election.

11 (2) Each county auditor shall register voters in person at each
12 of the following locations in the county:

13 (a) At the county auditor's office;

14 (b) At the division of elections, if located in a separate city
15 from the county auditor's office; and

16 (c) For each presidential general election, at a voting center in
17 each city in the county with a population of one hundred thousand or
18 greater, which does not have a voting center as required in (a) or
19 (b) of this subsection. A voting center opened pursuant to this
20 subsection (2) is not required to be open on the Sunday before the
21 presidential election.

1 (3) Voting centers shall be located in public buildings or
2 buildings that are leased by a public entity including, but not
3 limited to, libraries.

4 (4) Each voting center, and at least one of the other locations
5 designated by the county auditor to allow voters to register in
6 person pursuant to RCW 29A.08.140(1)(b), must provide voter
7 registration materials, ballots, provisional ballots, disability
8 access voting units, sample ballots, instructions on how to properly
9 vote the ballot, a ballot drop box, and voters' pamphlets, if a
10 voters' pamphlet has been published.

11 (5) Each voting center must be accessible to persons with
12 disabilities. Each state agency and entity of local government shall
13 permit the use of any of its accessible facilities as voting centers
14 when requested by a county auditor.

15 (6) Each voting center must provide at least one voting unit
16 certified by the secretary of state that provides access to
17 individuals who are blind or visually impaired, enabling them to vote
18 with privacy and independence.

19 (7) No person may interfere with a voter attempting to vote in a
20 voting center. Interfering with a voter attempting to vote is a
21 violation of RCW 29A.84.510.

22 (8) Before opening the voting center, the voting equipment shall
23 be inspected to determine if it has been properly prepared for
24 voting. If the voting equipment is capable of direct tabulation of
25 each voter's choices, the county auditor shall verify that no votes
26 have been registered for any issue or office, and that the device has
27 been sealed with a unique numbered seal at the time of final
28 preparation and logic and accuracy testing. A log must be made of all
29 device numbers and seal numbers.

30 (9) The county auditor shall require any person desiring to vote
31 at a voting center to either sign a ballot declaration or provide
32 identification.

33 (a) The signature on the declaration must be compared to the
34 signature on the voter registration record before the ballot may be
35 counted. If the voter registered using a mark, or can no longer sign
36 his or her name, the election officers shall require the voter to be
37 identified by another registered voter.

38 (b) The identification must be valid photo identification, such
39 as a driver's license, state identification card, student
40 identification card, tribal identification card, or employer

1 identification card. Any individual who desires to vote in person but
2 cannot provide identification shall be issued a provisional ballot,
3 which shall be accepted if the signature on the declaration matches
4 the signature on the voter's registration record.

5 (10) Provisional ballots must be accompanied by a declaration and
6 security envelope, as required by RCW 29A.40.091, and space for the
7 voter's name, date of birth, current and former registered address,
8 reason for the provisional ballot, and disposition of the provisional
9 ballot. The voter shall vote and return the provisional ballot at the
10 voting center. The voter must be provided information on how to
11 ascertain whether the provisional ballot was counted and, if
12 applicable, the reason why the vote was not counted.

13 (11) Any voter may take printed or written material into the
14 voting device to assist in casting his or her vote. The voter shall
15 not use this material to electioneer and shall remove it when he or
16 she leaves the voting center.

17 (12) If any voter states that he or she is unable to cast his or
18 her votes due to a disability, the voter may designate a person of
19 his or her choice, or two election officers, to enter the voting
20 booth and record the votes as he or she directs.

21 (13) No voter is entitled to vote more than once at a primary,
22 special election, or general election. If a voter incorrectly marks a
23 ballot, he or she may be issued a replacement ballot.

24 (14) A voter who has already returned a ballot but requests to
25 vote at a voting center shall be issued a provisional ballot. The
26 canvassing board shall not count the provisional ballot if it finds
27 that the voter has also voted a regular ballot in that primary,
28 special election, or general election.

29 (15) The county auditor must prevent overflow of each ballot drop
30 box to allow a voter to deposit his or her ballot securely. Ballots
31 must be removed from a ballot drop box by at least two people, with a
32 record kept of the date and time ballots were removed, and the names
33 of people removing them. Ballots from drop boxes must be returned to
34 the counting center in secured transport containers. A copy of the
35 record must be placed in the container, and one copy must be
36 transported with the ballots to the counting center, where the seal
37 number must be verified by the county auditor or a designated
38 representative. All ballot drop boxes must be secured at 8:00 p.m. on
39 the day of the primary, special election, or general election.

1 (16) Any voter who is inside or in line at the voting center at
2 8:00 p.m. on the day of the primary, special election, or general
3 election must be allowed to vote.

4 (17) For each primary, special election, and general election,
5 the county auditor may provide election services at locations in
6 addition to the voting center. The county auditor has discretion to
7 establish which services will be provided at the additional
8 locations, and which days and hours the locations will be open,
9 except that the county auditor must establish a minimum of one ballot
10 drop box per ~~((fifteen))~~ twenty thousand registered voters in the
11 county ~~((and a minimum of one ballot drop box in each city, town, and
12 census-designated place in the county with a post office))~~.

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