
HOUSE BILL 2532

State of Washington

59th Legislature

2006 Regular Session

By Representative Nixon

Read first time 01/10/2006. Referred to Committee on State Government Operations & Accountability.

1 AN ACT Relating to election audits; and adding a new section to
2 chapter 29A.60 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 29A.60 RCW
5 to read as follows:

6 In counties using optical scan counting devices, before
7 certification of any election or machine recount, the county auditor
8 must conduct an audit of the votes counted by the optical scan counting
9 devices used in the county. This audit must be conducted using the
10 following process:

11 (1) The county auditor must determine the number that equals two
12 percent of the registered voters in the county.

13 (2) The county canvassing board must select, by lot, precincts for
14 audit until the total number of voters in the selected precincts
15 combined exceeds two percent of the registered voters in the county.
16 The results of the precinct selection must be sealed and secured until
17 election day.

18 (3) On the day of the election, the list of precincts selected for
19 audit must be released by the county canvassing board. The county

1 auditor then selects, by lot, three races or issues, or a combination
2 of both, in each selected precinct for a manual recount. During ballot
3 processing, the auditor may direct that ballots in the selected
4 precincts be identified, segregated, and sorted to facilitate the audit
5 process.

6 (4) The county canvassing board must determine the date, time, and
7 place or places at which the manual audit count will be conducted and
8 announce these to the public at least seventy-two hours before the
9 count. Manual audit counts are open to the public subject to
10 reasonable and equitable guidelines adopted by the canvassing board.

11 (5) At the time and place established for the audit count, the
12 canvassing board or its duly authorized representatives, in the
13 presence of all witnesses in attendance, will open the sealed
14 containers containing the ballots to be recounted and hand count the
15 votes for the offices or issues selected for the audit. Ballots must
16 be handled only by the members of the canvassing board or their duly
17 authorized representatives. At no time may any person observing the
18 audit handle a ballot or make a record of information on the ballots.

19 (6) If there is a difference between the machine count and the
20 manual count, the results of the manual count will be the official
21 count for the election for the affected races or issues in the selected
22 precincts. The auditor must document and explain the reason for any
23 difference between the counts. If the difference between the machine
24 count and the manual count cannot be explained by any other reason than
25 a machine counting error, any party, candidate, or person representing
26 either side of a ballot measure appearing on any ballot in the county
27 may request a complete recount of votes for the race or ballot measure
28 under chapter 29A.64 RCW without any charge to the requestor.

29 (7) Results of the audit, including the machine and manual counts
30 for each audited precinct and race and explanation of any differences
31 must be published on the county auditor's internet web site and be
32 available in writing and in electronic form upon request.

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