
SENATE BILL 5771

State of Washington

60th Legislature

2007 Regular Session

By Senators Oemig and Hargrove

Read first time 01/31/2007. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to providing return postage on absentee ballots;
2 and amending RCW 29A.40.091.

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

4 **Sec. 1.** RCW 29A.40.091 and 2005 c 246 s 21 are each amended to
5 read as follows:

6 The county auditor shall send each absentee voter a ballot, a
7 security envelope in which to seal the ballot after voting, a larger
8 envelope with first class postage prepaid in which to return the
9 security envelope, and instructions on how to mark the ballot and how
10 to return it to the county auditor. The instructions that accompany an
11 absentee ballot for a partisan primary must include instructions for
12 voting the applicable ballot style, as provided in chapter 29A.36 RCW.
13 The absentee voter's name and address must be printed on the larger
14 return envelope, which must also contain a declaration by the absentee
15 voter reciting his or her qualifications and stating that he or she has
16 not voted in any other jurisdiction at this election, together with a
17 summary of the penalties for any violation of any of the provisions of
18 this chapter. The declaration must clearly inform the voter that it is
19 illegal to vote if he or she is not a United States citizen; it is

1 illegal to vote if he or she has been convicted of a felony and has not
2 had his or her voting rights restored; and, except as otherwise
3 provided by law, it is illegal to cast a ballot or sign an absentee
4 envelope on behalf of another voter. The return envelope must provide
5 space for the voter to indicate the date on which the ballot was voted
6 and for the voter to sign the oath. It must also contain a space so
7 that the voter may include a telephone number. A summary of the
8 applicable penalty provisions of this chapter must be printed on the
9 return envelope immediately adjacent to the space for the voter's
10 signature. The signature of the voter on the return envelope must
11 affirm and attest to the statements regarding the qualifications of
12 that voter and to the validity of the ballot. The return envelope must
13 also have a secrecy flap that the voter may seal that will cover the
14 voter's signature and optional telephone number. For out-of-state
15 voters, overseas voters, and service voters, the signed declaration on
16 the return envelope constitutes the equivalent of a voter registration
17 for the election or primary for which the ballot has been issued. The
18 voter must be instructed to either return the ballot to the county
19 auditor by whom it was issued or (~~attach sufficient first class~~
20 ~~postage, if applicable, and~~) mail the ballot to the appropriate county
21 auditor no later than the day of the election or primary for which the
22 ballot was issued.

23 If the county auditor chooses to forward absentee ballots, he or
24 she must include with the ballot a clear explanation of the
25 qualifications necessary to vote in that election and must also advise
26 a voter with questions about his or her eligibility to contact the
27 county auditor. This explanation may be provided on the ballot
28 envelope, on an enclosed insert, or printed directly on the ballot
29 itself. If the information is not included, the envelope must clearly
30 indicate that the ballot is not to be forwarded and that return postage
31 is guaranteed.

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