RCW 29A.40.111 Processing incoming ballots—Alternative verification options pilot project. *(Expires January 1, 2029.)* (1) The secretary of state shall establish the alternative verification options pilot project. The purpose of the pilot project is to allow for the development and testing of supplemental methods, other than signature verification, to verify that a ballot was filled out and returned by the intended voter.

(2) Any county may apply to participate in the alternative verification options pilot project. The county auditor of any county that wishes to participate in the pilot project must submit an application to the office of the secretary of state. The office of the secretary of state must approve the county auditor's application before the county can participate in the pilot project.

(a) The application submitted by the county auditor must include at least the following:

(i) A description of the alternative verification method or methods the county auditor plans to utilize and how the method or methods comply with the requirements of (b) of this subsection;

(ii) Details on how the proposed alternative verification method or methods will be implemented; and

(iii) Which election the county plans to use the proposed alternative verification method or methods in.

(b) Each alternative verification method proposed for use in the pilot project must:

(i) Allow the voter to submit clear evidence which can be verified by the county auditor indicating that the intended voter was the one who filled out and returned the ballot;

(ii) Establish criteria for determining accepted and failed verifications;

(iii) Require the voter to attest to the ballot declaration; and

(iv) Be compatible with the centralized statewide voter registration list maintained by the secretary of state.

(c) Counties may participate in the pilot project during any special election held on the second Tuesday in February or the fourth Tuesday in April as provided in RCW 29A.04.321 and 29A.04.330. A county may not participate in the pilot project during a special election held in a jurisdiction that is not wholly contained within one county, unless all counties involved in the special election agree to participate jointly in the pilot project.

(d) Each application to participate in the pilot project shall be limited to the special election or elections held on a single date. A county may participate in the pilot project during multiple special election dates, but the county auditor must submit a separate application for approval by the office of the secretary of state for each special election date.

(e) The office of the secretary of state shall review each application, the feasibility of each proposed alternative verification method and whether each proposed alternative verification method complies with the requirements of (b) of this subsection before determining whether to approve or deny the application.

(f) The secretary of state may establish additional rules governing application content, application submittal, and the application approval process as necessary, including deadlines for the submittal and approval of applications before each special election.

(g) The secretary of state may establish reasonable rules related to the standards and procedures for the examination and testing of alternative verification systems.

(h)(i) If the application is approved by the secretary of state, not later than 90 days before the election, the county auditor shall notify each city, town, or special taxing district located wholly within that county that an alternative verification option will be used.

(ii) Each unit of local government may petition the legislative authority of the county for a waiver to opt out of this pilot project. The legislative authority of the county may provide such a waiver if it does so not later than 60 days before the election and it finds that the waiver is reasonable.

(iii) If a waiver is granted, no precincts within the unit of local government may use the alternative verification option.

(3) During the special election in which a county is participating in the alternative verification options pilot project, the county may accept and canvass any ballot that can be verified as being returned by the intended voter through an alternative verification method that was approved by the secretary of state for use by that county in the pilot project, even if a signature that matches a signature of that voter in the registration files of the county is not included with the ballot declaration as normally required by RCW 29A.40.110.

(a) The county auditor must notify the governing authorities of all jurisdictions with a race or measure on the ballot that the county is participating in the alternative verification options pilot project and provide information on the alternative verification method or methods that have been approved for use as soon as practicable after receiving approval from the secretary of state.

(b) Any voter in a county participating in the pilot project must still have their ballot counted if the signature on the ballot declaration matches a signature of that voter in the registration files of the county. The alternative verification method or methods utilized by the county for the pilot project may not entirely replace signature verification.

(c) If a voter has returned a ballot attempting to utilize an alternative verification method, but the county auditor is unable to verify that the ballot was returned by that voter, the county auditor shall follow the same procedures as if the voter neglected to sign the ballot declaration as outlined in RCW 29A.60.165.

(d) Any information provided by the voter in order to verify that they voted the ballot as part of the pilot project is exempt from public disclosure following the same rules as pertain to voter signatures on ballot return envelopes in RCW 29A.04.260 and 42.56.425.

(4)(a) The county auditor shall provide a report to the secretary of state on their participation in the alternative verification options pilot project no later than 30 days after the certification of each special election in which their county participates in the pilot project. This report must describe the alternative verification method or methods utilized, the number of voters that used each method, the ballot rejection rate for that election and a comparison to the ballot rejection rate for prior similar elections in that county, and any relevant information related to the administration of each method.

(b) The secretary of state shall provide reports on the progress of the alternative verification options pilot project to the governor, appropriate committees of the legislature, and county auditors no

later than December 31st of each year. The report must describe the alternative verification methods utilized by each county that year, the number of voters that used each method in each election, the impact of alternative verification methods on ballot rejection rates, and any relevant other findings of the pilot project.

(c) The secretary of state shall provide a final report on the alternative verification options pilot project to the governor, appropriate committees of the legislature, and county auditors no later than December 31, 2028. The report must describe all alternative verification methods utilized by each county, the number of voters that used each method in each election, the impact of alternative verification methods on ballot rejection rates, and any other relevant findings of the pilot project. [2024 c 138 s 1.]

Expiration date—2024 c 138: "This act expires January 1, 2029." [2024 c 138 s 3.]