

**Chapter 29A.40 RCW
ELECTIONS BY MAIL**

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RCW 29A.40.010 Ballots by mail. Each active registered voter of the state, overseas voter, and service voter shall automatically be issued a mail ballot for each general election, special election, or primary. Overseas voters and service voters are authorized to cast the same ballots, including those for special elections, as a registered voter of the state would receive under this chapter. Each active registered voter shall continue to receive a ballot by mail until the death or disqualification of the voter, cancellation of the voter's registration, or placing the voter on inactive status. [2013 c 11 s 47; 2011 c 10 s 35; 2009 c 369 s 36; 2003 c 111 s 1001. Prior: 2001 c 241 s 1; 1991 c 81 s 29; 1987 c 346 s 9; 1986 c 167 s 14; 1985 c 273 s 1; 1984 c 27 s 1; 1977 ex.s. c 361 s 76; 1974 ex.s. c 35 s 1; 1971 ex.s. c 202 s 37; 1965 c 9 s 29.36.010; prior: 1963 ex.s. c 23 s 1; 1955 c 167 s 2; prior: (i) 1950 ex.s. c 8 s 1; 1943 c 72 s 1; 1933 ex.s. c 41 s 1; 1923 c 58 s 1; 1921 c 143 s 1; 1917 c 159 s 1; 1915 c 189 s 1; Rem. Supp. 1943 s 5280. (ii) 1933 ex.s. c 41 s 2, part; 1923 c 58 s 2, part; 1921 c 143 s 2, part; 1917 c 159 s 2, part; 1915 c 189 s 2, part; RRS s 5281, part. Formerly RCW 29.36.210, 29.36.010.]

Notice to registered poll voters—Elections by mail—2011 c 10:
See note following RCW 29A.04.008.

Effective date—1991 c 81: See note following RCW 29A.84.540.

Legislative intent—1987 c 346: "By this act the legislature intends to combine and unify the laws and procedures governing absentee voting. These amendments are intended: (1) To clarify and incorporate into a single chapter of the Revised Code of Washington the preexisting statutes under which electors of this state qualify for absentee ballots under state law, federal law, or a combination of both state and federal law, and (2) to insure uniformity in the application, issuance, receipt, and canvassing of these absentee

ballots. Nothing in this act is intended to impose any new requirement on the ability of the registered voters or electors of this state to qualify for, receive, or cast absentee ballots in any primary or election." [1987 c 346 s 1.]

Effective date—1987 c 346: "This act shall take effect on January 1, 1988." [1987 c 346 s 25.]

Severability—1986 c 167: See note following RCW 29A.16.040.

Effective date—Severability—1977 ex.s. c 361: See notes following RCW 29A.16.040.

RCW 29A.40.020 Request for ballot from an overseas voter or service voter. (1) A request for a ballot from an overseas voter or service voter must include the address of the last residence in the state of Washington.

(2) No person, organization, or association may distribute any ballot materials that contain a return address other than that of the appropriate county auditor. [2011 c 10 s 36; 2009 c 369 s 37; 2003 c 111 s 1002; 2001 c 241 s 2. Formerly RCW 29.36.220.]

Notice to registered poll voters—Elections by mail—2011 c 10: See note following RCW 29A.04.008.

RCW 29A.40.050 Special ballots. (1) County auditors shall provide special absentee ballots to be used for state primary or state general elections. An auditor shall provide a special absentee ballot only to a registered voter who completes an application stating that she or he will be unable to vote and return a regular ballot by normal mail delivery within the period provided for regular ballots.

A special absentee ballot may not be requested more than ninety days before the applicable state primary or general election. The special absentee ballot will list the offices and measures, if known, scheduled to appear on the state primary or general election ballot. The voter may use the special absentee ballot to write in the name of any eligible candidate for each office and vote on any measure.

(2) The county auditor shall include a listing of any candidates who have filed before the time of the application for offices that will appear on the ballot at that primary or election and a list of any issues that have been referred to the ballot before the time of the application.

(3) Write-in votes on special absentee ballots must be counted in the same manner provided by law for the counting of other write-in votes. The county auditor shall process and canvass the special absentee ballots provided under this section in the same manner as other ballots under this chapter and chapter 29A.60 RCW.

(4) A voter who requests a special absentee ballot under this section may also request a regular ballot. If the regular absentee ballot is properly voted and returned, the special absentee ballot is void, and the county auditor shall reject it in whole when special absentee ballots are canvassed. [2011 c 10 s 37; 2003 c 111 s 1005; 2001 c 241 s 5; 1991 c 81 s 35; 1987 c 346 s 21. Formerly RCW 29.36.250, 29.36.170.]

Notice to registered poll voters—Elections by mail—2011 c 10:
See note following RCW 29A.04.008.

Effective date—1991 c 81: See note following RCW 29A.84.540.

Legislative intent—Effective date—1987 c 346: See notes following RCW 29A.40.010.

RCW 29A.40.070 Date ballots mailed—Replacement ballots. (1)
Except where a recount or litigation is pending, the county auditor must mail ballots to each voter at least eighteen days before each primary or election, and as soon as possible for all subsequent registration changes.

(2) Except where a recount or litigation is pending, the county auditor must mail ballots to each service and overseas voter at least thirty days before each special election, and at least forty-five days before each primary or general election, or any special election that involves federal office. A request for a ballot made by an overseas or service voter after that day must be processed immediately.

(3) A registered voter may obtain a replacement ballot if the ballot is destroyed, spoiled, lost, or not received by the voter. The voter may obtain the ballot by telephone request, by mail, electronically, or in person. The county auditor shall keep a record of each request for a replacement ballot.

(4) Each county auditor shall certify to the office of the secretary of state the dates the ballots were mailed, or the reason and date the ballots will be mailed if the ballots were not mailed timely.

(5) Failure to mail ballots as prescribed in this section does not by itself provide a basis for an election contest or other legal challenge to the results of a primary, general election, or special election. [2013 c 11 s 48. Prior: 2011 c 349 s 16; 2011 c 10 s 38; 2006 c 344 s 13; 2004 c 266 s 13; prior: 2003 c 162 s 2; 2003 c 111 s 1007; prior: 1987 c 54 s 1; 1977 ex.s. c 361 s 56; 1965 ex.s. c 103 s 5; 1965 c 9 s 29.30.075; prior: 1949 c 161 s 10, part; 1947 c 234 s 2, part; 1935 c 26 s 1, part; 1921 c 178 s 4, part; 1907 c 209 s 8, part; Rem. Supp. 1949 s 5185, part. Formerly RCW 29.36.270, 29.30.075.]

Effective date—2011 c 349: See note following RCW 29A.04.255.

Notice to registered poll voters—Elections by mail—2011 c 10:
See note following RCW 29A.04.008.

Effective date—2006 c 344 ss 1-16 and 18-40: See note following RCW 29A.04.311.

Effective date—2004 c 266: See note following RCW 29A.04.575.

Policy—2003 c 162: "It is the policy of the state of Washington that individuals voting absentee and mail ballots receive their ballots in a timely and consistent manner before each election. Since many voters in Washington state have come to rely upon absentee and mail voting, mailing the ballots in a timely manner is critical in order to maximize participation by every eligible voter." [2003 c 162 s 1.]

Effective date—Severability—1977 ex.s. c 361: See notes following RCW 29A.16.040.

RCW 29A.40.091 Envelopes, declaration, and instructions—Voter's oath—Overseas and service voters—Return of ballots—County auditor's name. (1) The county auditor shall send each voter a ballot, a security envelope in which to conceal the ballot after voting, a larger envelope in which to return the security envelope, a declaration that the voter must sign, and instructions on how to obtain information about the election, how to mark the ballot, and how to return the ballot to the county auditor. The calendar date of the election must be prominently displayed in bold type, twenty-point font or larger, on the envelope sent to the voter containing the ballot and other materials listed in this subsection.

(2) The voter must swear under penalty of perjury that he or she meets the qualifications to vote, and has not voted in any other jurisdiction at this election. The declaration must clearly inform the voter that it is illegal to vote if he or she is not a United States citizen; it is illegal to vote if he or she is serving a sentence of total confinement under the jurisdiction of the department of corrections for a felony conviction or is currently incarcerated for a federal or out-of-state felony conviction; it is illegal to cast a ballot or sign a ballot declaration on behalf of another voter; and that the signature on the declaration will be compared to the signature in the voter's registration file. The ballot materials must provide space for the voter to sign the declaration, indicate the date on which the ballot was voted, and include a telephone number.

(3) For overseas and service voters, the signed declaration constitutes the equivalent of a voter registration. Return envelopes for overseas and service voters must enable the ballot to be returned postage free if mailed through the United States postal service, United States armed forces postal service, or the postal service of a United States foreign embassy under 39 U.S.C. 3406.

(4) The voter must be instructed to either return the ballot to the county auditor no later than 8:00 p.m. the day of the election or primary, or mail the ballot to the county auditor with a postmark no later than the day of the election or primary. Return envelopes for all election ballots must include prepaid postage. Service and overseas voters must be provided with instructions and a privacy sheet for returning the ballot and signed declaration by fax or email. A voted ballot and signed declaration returned by fax or email must be received by 8:00 p.m. on the day of the election or primary.

(5) The county auditor's name may not appear on the security envelope, the return envelope, or on any voting instructions or materials included with the ballot if he or she is a candidate for office during the same year.

(6) For purposes of this section, "prepaid postage" means any method of return postage paid by the county or state. [2024 c 269 s 7; (2024 c 269 s 6 expired June 1, 2025); 2021 c 10 s 3; 2020 c 12 s 1; 2019 c 161 s 3; 2016 c 83 s 3; 2013 c 11 s 49. Prior: 2011 c 349 s 17; 2011 c 348 s 3; 2011 c 182 s 1; 2011 c 10 s 39; 2010 c 125 s 1; 2009 c 369 s 39; 2005 c 246 s 21; 2004 c 271 s 135.]

Effective date—2024 c 269 s 7: "Section 7 of this act takes effect June 1, 2025." [2024 c 269 s 14.]

Expiration date—2024 c 269 s 6: "Section 6 of this act expires June 1, 2025." [2024 c 269 s 13.]

Effective date—2021 c 10: See note following RCW 29A.08.520.

Findings—2019 c 161: "The legislature finds that voting by mail has many advantages. However, the legislature also finds that while the cost of ballot return postage may only be a small amount, passing the burden along to Washington's citizens, many of whom no longer need stamps in their everyday lives, is an unnecessary barrier to fully participate in the democratic process. The legislature further finds that in order to continue to increase participation in our democracy, we must lower all barriers to participation in the democratic process. The legislature finds that voting should be free for all citizens." [2019 c 161 s 1.]

Effective date—2019 c 161: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2019." [2019 c 161 s 4.]

Effective date—2011 c 349: See note following RCW 29A.04.255.

Notice to registered poll voters—Elections by mail—2011 c 10: See note following RCW 29A.04.008.

Effective date—2005 c 246: See note following RCW 10.64.140.

RCW 29A.40.100 Observers. County auditors must request that observers be appointed by the major political parties to be present during the processing of ballots at the counting center. County auditors have discretion to also request that observers be appointed by any campaigns or organizations. The absence of the observers will not prevent the processing of ballots if the county auditor has requested their presence. Observers may not touch any ballots, ballot materials, or election systems. Unauthorized physical contact, or access to ballots or election systems[,] is a crime subject to punishment under chapter 29A.84 RCW. [2024 c 28 s 3; 2011 c 10 s 40; 2003 c 111 s 1010. Prior: 2001 c 241 s 9. Formerly RCW 29.36.300.]

Notice to registered poll voters—Elections by mail—2011 c 10: See note following RCW 29A.04.008.

RCW 29A.40.110 Processing incoming ballots. (Effective until January 1, 2029.) (1) The opening and subsequent processing of return envelopes for any primary or election may begin upon receipt. The tabulation of absentee ballots must not commence until after 8:00 p.m. on the day of the primary or election.

(2) All received return envelopes must be placed in secure locations from the time of delivery to the county auditor until their subsequent opening. After opening the return envelopes, the county canvassing board shall place all of the ballots in secure storage until processing. Ballots may be taken from the inner envelopes and

all the normal procedural steps may be performed to prepare these ballots for tabulation.

(3) The canvassing board, or its designated representatives, shall examine the postmark on the return envelope and signature on the declaration before processing the ballot. The ballot must either be received no later than 8:00 p.m. on the day of the primary or election, or must be postmarked no later than the day of the primary or election. All personnel assigned to verify signatures must receive training on statewide standards for signature verification. The county auditor shall publish on its website the names of all canvassing board members who received training on statewide standards for signature verification and the dates on which the training was completed. Personnel shall verify that the voter's signature on the ballot declaration is the same as the signature of that voter in the registration files of the county. Verification may be conducted by an automated verification system approved by the secretary of state. A variation between the signature of the voter on the ballot declaration and the signature of that voter in the registration files due to the substitution of initials or the use of common nicknames is permitted so long as the surname and handwriting are clearly the same. A county that is participating in the alternative verification options pilot project under RCW 29A.40.111 may also verify a voter's ballot using an alternative verification method approved by the office of the secretary of state.

(4) If the postmark is missing or illegible, the date on the ballot declaration to which the voter has attested determines the validity, as to the time of voting, for that ballot. For overseas voters and service voters, the date on the declaration to which the voter has attested determines the validity, as to the time of voting, for that ballot. Any overseas voter or service voter may return the signed declaration and voted ballot by fax or email by 8:00 p.m. on the day of the primary or election, and the county auditor must use established procedures to maintain the secrecy of the ballot. [2024 c 269 s 8; 2024 c 138 s 2. Prior: 2011 c 349 s 18; 2011 c 348 s 4; 2011 c 10 s 41; 2009 c 369 s 40; prior: 2006 c 207 s 4; 2006 c 206 s 6; 2005 c 243 s 5; 2003 c 111 s 1011; prior: 2001 c 241 s 10; 1991 c 81 s 32; 1987 c 346 s 14; 1977 ex.s. c 361 s 78; 1973 c 140 s 1; 1965 c 9 s 29.36.060; prior: 1963 ex.s. c 23 s 5; 1955 c 167 s 7; 1955 c 50 s 2; prior: 1933 ex.s. c 41 s 5, part; 1921 c 143 s 6, part; 1917 c 159 s 4, part; 1915 c 189 s 4, part; RRS s 5285, part. Formerly RCW 29.36.310, 29.36.060.]

Reviser's note: This section was amended by 2024 c 138 s 2 and by 2024 c 269 s 8, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Expiration date—2024 c 138: See note following RCW 29A.40.111.

Effective date—2011 c 349: See note following RCW 29A.04.255.

Notice to registered poll voters—Elections by mail—2011 c 10: See note following RCW 29A.04.008.

Effective date—1991 c 81: See note following RCW 29A.84.540.

Legislative intent—Effective date—1987 c 346: See notes following RCW 29A.40.010.

Effective date—Severability—1977 ex.s. c 361: See notes following RCW 29A.16.040.

County canvassing board, meeting to process ballots, canvass returns:
RCW 29A.60.160.

Unsigned ballot declarations: RCW 29A.60.165.

RCW 29A.40.110 Processing incoming ballots. (Effective January 1, 2029.) (1) The opening and subsequent processing of return envelopes for any primary or election may begin upon receipt. The tabulation of absentee ballots must not commence until after 8:00 p.m. on the day of the primary or election.

(2) All received return envelopes must be placed in secure locations from the time of delivery to the county auditor until their subsequent opening. After opening the return envelopes, the county canvassing board shall place all of the ballots in secure storage until processing. Ballots may be taken from the inner envelopes and all the normal procedural steps may be performed to prepare these ballots for tabulation.

(3) The canvassing board, or its designated representatives, shall examine the postmark on the return envelope and signature on the declaration before processing the ballot. The ballot must either be received no later than 8:00 p.m. on the day of the primary or election, or must be postmarked no later than the day of the primary or election. All personnel assigned to verify signatures must receive training on statewide standards for signature verification. The county auditor shall publish on its website the names of all canvassing board members who received training on statewide standards for signature verification and the dates on which the training was completed. Personnel shall verify that the voter's signature on the ballot declaration is the same as the signature of that voter in the registration files of the county. Verification may be conducted by an automated verification system approved by the secretary of state. A variation between the signature of the voter on the ballot declaration and the signature of that voter in the registration files due to the substitution of initials or the use of common nicknames is permitted so long as the surname and handwriting are clearly the same.

(4) If the postmark is missing or illegible, the date on the ballot declaration to which the voter has attested determines the validity, as to the time of voting, for that ballot. For overseas voters and service voters, the date on the declaration to which the voter has attested determines the validity, as to the time of voting, for that ballot. Any overseas voter or service voter may return the signed declaration and voted ballot by fax or email by 8:00 p.m. on the day of the primary or election, and the county auditor must use established procedures to maintain the secrecy of the ballot. [2024 c 269 s 8. Prior: 2011 c 349 s 18; 2011 c 348 s 4; 2011 c 10 s 41; 2009 c 369 s 40; prior: 2006 c 207 s 4; 2006 c 206 s 6; 2005 c 243 s 5; 2003 c 111 s 1011; prior: 2001 c 241 s 10; 1991 c 81 s 32; 1987 c 346 s 14; 1977 ex.s. c 361 s 78; 1973 c 140 s 1; 1965 c 9 s 29.36.060; prior: 1963 ex.s. c 23 s 5; 1955 c 167 s 7; 1955 c 50 s 2; prior: 1933

ex.s. c 41 s 5, part; 1921 c 143 s 6, part; 1917 c 159 s 4, part; 1915 c 189 s 4, part; RRS s 5285, part. Formerly RCW 29.36.310, 29.36.060.]

Effective date—2011 c 349: See note following RCW 29A.04.255.

Notice to registered poll voters—Elections by mail—2011 c 10:
See note following RCW 29A.04.008.

Effective date—1991 c 81: See note following RCW 29A.84.540.

Legislative intent—Effective date—1987 c 346: See notes following RCW 29A.40.010.

Effective date—Severability—1977 ex.s. c 361: See notes following RCW 29A.16.040.

County canvassing board, meeting to process ballots, canvass returns:
RCW 29A.60.160.

Unsigned ballot declarations: RCW 29A.60.165.

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.]

RCW 29A.40.130 Record of voters issued a ballot and voters who returned a ballot—Public access. Each county auditor shall maintain in his or her office, open for public inspection, a record of all voters issued a ballot and all voters who returned a ballot. For each primary, special election, or general election, any political party, committee, or person may request a list of all registered voters who have or have not voted. Such requests shall be handled as public records requests pursuant to chapter 42.56 RCW. [2011 c 10 s 42; 2003 c 111 s 1013. Prior: 1991 c 81 s 33; 1987 c 346 s 17; 1973 1st ex.s. c 61 s 1. Formerly RCW 29.36.340, 29.36.097.]

Notice to registered poll voters—Elections by mail—2011 c 10:
See note following RCW 29A.04.008.

Effective date—1991 c 81: See note following RCW 29A.84.540.

Legislative intent—Effective date—1987 c 346: See notes following RCW 29A.40.010.

RCW 29A.40.160 Voting centers. (1) Each county auditor shall open a voting center each primary, special election if the county is conducting an election, and general election. The voting center shall be open during business hours during the voting period, which begins eighteen days before, and ends at 8:00 p.m. on the day of, the primary, special election if the county is conducting an election, or general election.

(2) Each county auditor shall open a voting center at each of the following locations in the county:

(a) At the county auditor's office or at the division of elections that is in a separate location from the county auditor's office; and

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

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

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

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

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

(7) No person may interfere with a voter attempting to vote in a voting center. Interfering with a voter attempting to vote is a violation of RCW 29A.84.510. The county auditor shall designate by administrative rule a specific point or points as the entrance to each voting center, taking into account the unique attributes of the voting center, to assure that voters have the ability to arrive and depart unimpeded.

(8) No person may interfere with the operation of a voting center. Interfering with the operation of a voting center is a violation of RCW 29A.84.510. This prohibition includes unauthorized access or handling of ballots, and unauthorized access to any voting equipment or election systems. Unauthorized access includes elected officials and county staff accessing systems in any manner not required by their job function.

(9) Before opening the voting center, the voting equipment shall be inspected to determine if it has been properly prepared for voting. If the voting equipment is capable of direct tabulation of each

voter's choices, the county auditor shall verify that no votes have been registered for any issue or office, and that the device has been sealed with a unique numbered seal at the time of final preparation and logic and accuracy testing. A log must be made of all device numbers and seal numbers.

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

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

(b) The identification must be valid photo identification, such as a driver's license, state identification card, student identification card, tribal identification card, or employer identification card. A tribal identification card is not required to include a residential address or an expiration date to be considered valid under this section. Any individual who desires to vote in person but cannot provide identification shall be issued a provisional ballot, which shall be accepted if the signature on the declaration matches the signature on the voter's registration record.

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

(12) Any voter may take printed or written material into the voting device to assist in casting votes. The voter shall not use this material to electioneer and shall remove it when leaving the voting center.

(13) If any voter states that the voter is unable to cast a vote due to a disability, the voter may designate a person of the voter's choice, or two election officers, to enter the voting booth and record the votes as the voter directs.

(14) No voter is entitled to vote more than once at a primary, special election, or general election. If a voter incorrectly marks a ballot, the voter may be issued a replacement ballot.

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

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

(17) For each primary, special election, and general election, the county auditor may provide election services at locations in addition to the voting center. The county auditor has discretion to establish which services will be provided at the additional locations, and which days and hours the locations will be open. [2024 c 28 s 4; 2022 c 69 s 1; 2019 c 6 s 6; 2018 c 112 s 4; 2017 c 327 s 1; 2011 c 10 s 43.]

Effective date—2018 c 112 ss 1-4: See note following RCW 29A.08.140.

Notice to registered poll voters—Elections by mail—2011 c 10: See note following RCW 29A.04.008.

RCW 29A.40.170 Ballot drop boxes. (1) The county auditor must prevent overflow of each ballot drop box to allow a voter to deposit his or her ballot securely. Ballots must be removed from a ballot drop box by at least two people, with a record kept of the date and time ballots were removed, and the names of people removing them. Ballots from drop boxes must be returned to the counting center in secured transport containers. A copy of the record must be placed in the container, and one copy must be transported with the ballots to the counting center, where the seal number must be verified by the county auditor or a designated representative. All ballot drop boxes must be secured at 8:00 p.m. on the day of the primary, special election, or general election.

(2) The county auditor must establish a minimum of one ballot drop box per fifteen thousand registered voters in the county and a minimum of one ballot drop box in each city, town, and census-designated place in the county with a post office.

(3) At the request of a federally recognized Indian tribe with a reservation in the county, the county auditor must establish at least one ballot drop box on the Indian reservation on a site selected by the tribe that is accessible to the county auditor by a public road.

(4) A federally recognized Indian tribe may designate at least one building as a ballot pickup and collection location at no cost to the tribe. The designated building must be accessible to the county auditor by a public road. The county auditor of the county in which the building is located must collect ballots from that location in compliance with the procedures in subsection (1) of this section. [2019 c 6 s 5.]

RCW 29A.40.180 Student engagement hubs. (1) Each state university, regional university, and The Evergreen State College as defined in RCW 28B.10.016 and each higher education campus as defined in RCW 28B.45.012 shall open a nonpartisan student engagement hub on its campus. The student engagement hub may be open during business hours beginning eight days before, and ending at 8:00 p.m. on the day of, the general election. All student engagement hubs must allow students to download their exact ballot from an online portal. Upon request of the student government organization to the administration and the county auditor, the student engagement hub at a state university, regional university, or The Evergreen State College as defined in RCW 28B.10.016 must allow voters to register in person pursuant to RCW 29A.08.140(1)(b) and provide voter registration materials and ballots.

(2) Each institution shall contract with the county auditor for the operation of a student engagement hub under this section.

(3) Student engagement hubs are not voting centers as outlined in RCW 29A.40.160 and must be operated in a manner that avoids partisan influence or electioneering. [2020 c 208 s 10.]

Short title—Findings—2020 c 208: See notes following RCW 29A.08.210.