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HOUSE BILL 2421

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State of Washington

66th Legislature

2020 Regular Session

By Representative Tarleton

1 AN ACT Relating to state reimbursement of election costs;  
2 amending RCW 29A.04.410, 29A.04.420, 29A.04.216, 29A.04.430,  
3 29A.64.081, and 29A.32.210; adding a new section to chapter 29A.04  
4 RCW; making an appropriation; and providing an effective date.

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

6 **Sec. 1.** RCW 29A.04.410 and 2013 c 11 s 10 are each amended to  
7 read as follows:

8 Every county, city, town, and district, and the state is liable  
9 for its proportionate share of the costs when such elections are held  
10 in conjunction with other elections held under RCW 29A.04.321 and  
11 29A.04.330.

12 Whenever any county, city, town, or district, or the state holds  
13 any primary or election, general or special, on an isolated date, all  
14 costs of such elections must be borne by the county, city, town, or  
15 district concerned, or the state as appropriate.

16 The purpose of this section is to clearly establish that the  
17 county is not responsible for any costs involved in the holding of  
18 any city, town, (~~or~~) district, state, or federal election.

19 In recovering such election expenses, including a reasonable  
20 (~~pro-ration~~) proration of administrative costs, the county auditor  
21 shall certify the cost to the county treasurer with a copy to the

1 clerk or auditor of the city, town, or district concerned, or the  
2 secretary of state as appropriate. Upon receipt of such certification  
3 relating to a city, town, or district, the county treasurer shall  
4 make the transfer from any available and appropriate city, town, or  
5 district funds to the county current expense fund or to the county  
6 election reserve fund if such a fund is established. Each city, town,  
7 or district must be promptly notified by the county treasurer  
8 whenever such transfer has been completed. However, in those  
9 districts wherein a treasurer, other than the county treasurer, has  
10 been appointed such transfer procedure does not apply, but the  
11 district shall promptly issue its warrant for payment of election  
12 costs. State and federal offices are to be considered one entity for  
13 purposes of election cost proration and reimbursement.

14 **Sec. 2.** RCW 29A.04.420 and 2019 c 161 s 2 are each amended to  
15 read as follows:

16 (1) Whenever federal officers, state officers, or measures are  
17 voted upon at a state primary or general election held (~~in an odd-~~  
18 ~~numbered year~~) under RCW 29A.04.321, the state of Washington shall  
19 assume a prorated share of the costs of that state primary or general  
20 election(~~-~~

21 ~~(2) The state shall reimburse counties for~~) for the federal and  
22 state offices and measures, including the prorated cost of return  
23 postage, required to be included on return envelopes pursuant to RCW  
24 29A.40.091(~~, for all elections~~)).

25 (~~(3)~~) (2) Whenever a primary or vacancy election is held to  
26 fill a vacancy in the position of United States senator or United  
27 States representative under chapter 29A.28 RCW, the state of  
28 Washington shall assume a prorated share of the costs of that primary  
29 or vacancy election.

30 (~~(4)~~) (3) The county auditor shall apportion the state's share  
31 of these expenses when prorating election costs under RCW 29A.04.410  
32 and in accordance with the state budgeting, accounting, and reporting  
33 system, shall file such expense claims with the secretary of state.

34 (~~(5)~~) (4) The secretary of state shall include in his or her  
35 biennial budget requests sufficient funds to carry out this section.  
36 Reimbursements for election costs shall be from appropriations  
37 specifically provided by law for that purpose.

38 (5) State and federal offices are to be considered one entity for  
39 purposes of election cost proration and reimbursement.

1       (6) In addition to the state share of election expenses under RCW  
2 29A.04.410, each county auditor is entitled to an amount from the  
3 state, prorated based on population, of not less than ten percent of  
4 the budgeted amount under subsection (4) of this section from the  
5 previous fiscal year, for voter outreach and education required by  
6 section 3 of this act. This appropriation must be calculated  
7 separately from any prorated share of state costs which the state is  
8 required to reimburse under this chapter.

9       NEW SECTION.   **Sec. 3.**   A new section is added to chapter 29A.04  
10 RCW to read as follows:

11       (1) County auditors must engage in voter outreach and education  
12 activities, for which they may be reimbursed as provided in RCW  
13 29A.04.420.

14       (2) As used in this section, "voter outreach and education"  
15 includes printed materials, paid advertising, video, news coverage,  
16 social media, or in-person presentations designed to:

17       (a) Educate people about the importance of voting as an act of  
18 civic engagement;

19       (b) Educate and inform people about the entire voting process,  
20 from voter registration, to ballot deadlines, to election  
21 certification; and

22       (c) Reduce participation gaps with outreach to communities with a  
23 history of poor voter turnout.

24       **Sec. 4.**   RCW 29A.04.216 and 2013 c 11 s 7 are each amended to  
25 read as follows:

26       The county auditor of each county shall be ex officio the  
27 supervisor of all primaries and elections, general or special, and it  
28 shall be the county auditor's duty to provide places for holding such  
29 primaries and elections; to provide the supplies and materials  
30 necessary for the conduct of elections; and to publish and post  
31 notices of calling such primaries and elections in the manner  
32 provided by law. The auditor shall also apportion to the county,  
33 city, town, or district, and to the state of Washington (~~in the odd-~~  
34 ~~numbered year~~), its share of the expense of such primaries and  
35 elections. This section does not apply to general or special  
36 elections for any city, town, or district that is not subject to RCW  
37 29A.04.321 and 29A.04.330, but all such elections must be held and  
38 conducted at the time, in the manner, and by the officials (with such

1 notice, requirements for filing for office, and certifications by  
2 local officers) as provided and required by the laws governing such  
3 elections. State and federal offices are to be considered one entity  
4 for purposes of election cost proration and reimbursement.

5 **Sec. 5.** RCW 29A.04.430 and 2003 c 111 s 148 are each amended to  
6 read as follows:

7 For any reimbursement of election costs under RCW 29A.04.420, the  
8 secretary of state shall pay (~~interest at an annual rate equal to~~  
9 ~~two percentage points in excess of the discount rate on ninety-day~~  
10 ~~commercial paper in effect at the federal reserve bank in San~~  
11 ~~Francisco on the fifteenth day of the month immediately preceding the~~  
12 ~~payment for any period of time in excess of~~) within thirty days  
13 after the receipt of a properly executed and documented voucher for  
14 such expenses and the entry of an allotment from specifically  
15 appropriated funds for this purpose until those funds are exhausted.  
16 If funds appropriated for this purpose are not sufficient to pay all  
17 claims, the secretary of state shall include a budget request to the  
18 legislature during the next legislative session for sufficient funds  
19 for reimbursement of all remaining claims and shall pay all properly  
20 executed and documented vouchers to the counties within thirty days  
21 of allotment of specifically appropriated funds for this purpose. The  
22 secretary of state shall promptly notify any county that submits an  
23 incomplete or inaccurate voucher for reimbursement under RCW  
24 29A.04.420.

25 **Sec. 6.** RCW 29A.64.081 and 2004 c 271 s 181 are each amended to  
26 read as follows:

27 The canvassing board shall determine the expenses for conducting  
28 a recount of votes.

29 (~~The~~) (1) For a recount conducted under RCW 29A.64.011, the  
30 cost of the recount shall be deducted from the amount deposited by  
31 the applicant for the recount at the time of filing the request for  
32 the recount, and the balance shall be returned to the applicant. If  
33 the costs of the recount exceed the deposit, the applicant shall pay  
34 the difference. No charges may be deducted by the canvassing board  
35 from the deposit for a recount if the recount changes the result of  
36 the nomination or election for which the recount was ordered.

37 (2) For a recount conducted under RCW 29A.64.021, for an office  
38 where the candidates filed the declarations of candidacy with the

1 secretary of state, any legislative office, and any congressional  
2 office, the county auditor shall file an expense claim for such costs  
3 with the secretary of state. The secretary of state shall include a  
4 budget request to the legislature during the next legislative session  
5 for sufficient funds for reimbursement of all costs of the recount  
6 and shall pay all properly executed and documented vouchers to the  
7 counties within thirty days of allotment of specifically appropriated  
8 funds for this purpose. The secretary of state shall promptly notify  
9 any county that submits an incomplete or inaccurate voucher for  
10 reimbursement under this section.

11 (3) State and federal offices are to be considered one entity for  
12 purposes of election cost proration and reimbursement.

13 **Sec. 7.** RCW 29A.32.210 and 2013 c 11 s 38 are each amended to  
14 read as follows:

15 ~~((At least ninety days before))~~ Before any primary or general  
16 election, or ~~((at least forty days before))~~ any special election held  
17 under RCW 29A.04.321 or 29A.04.330, ~~((the legislative authority of~~  
18 ~~any county or first-class or code city may adopt an ordinance~~  
19 ~~authorizing the publication and distribution of))~~ each county auditor  
20 shall print and distribute a local voters' pamphlet. The pamphlet  
21 shall provide information on all measures ~~((within that jurisdiction~~  
22 ~~and may, if specified in the ordinance, include information on))~~ and  
23 candidates within that jurisdiction. ~~((If both a county and a first-~~  
24 ~~class or code city within that county authorize a local voters'~~  
25 ~~pamphlet for the same election, the pamphlet shall be produced~~  
26 ~~jointly by the county and the first-class or code city. If no~~  
27 ~~agreement can be reached between the county and first-class or code~~  
28 ~~city, the county and first-class or code city may each produce a~~  
29 ~~pamphlet. Any ordinance adopted authorizing a local voters' pamphlet~~  
30 ~~may be for a specific primary, special election, or general election~~  
31 ~~or for any future primaries or elections.))~~ The format of any local  
32 voters' pamphlet shall, whenever applicable, comply with the  
33 provisions of this chapter regarding the publication of the state  
34 candidates' and voters' pamphlets.

35 NEW SECTION. **Sec. 8.** The sum of up to ten percent of the state  
36 share of election expenses under RCW 29A.04.410 for the 2019 fiscal  
37 year, or as much thereof as may be necessary, is appropriated for the  
38 fiscal biennium ending June 30, 2021, from the general fund to the

1 office of the secretary of state for the purposes of allocation to  
2 county auditors for the purpose of voter outreach and education, as  
3 defined in section 3 of this act.

4 NEW SECTION. **Sec. 9.** This act takes effect July 1, 2021.

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