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ENGROSSED SUBSTITUTE HOUSE BILL 2421

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State of Washington

66th Legislature

2020 Regular Session

By House Appropriations (originally sponsored by Representatives Tarleton, Pollet, and Doglio)

READ FIRST TIME 02/11/20.

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; creating a new section; 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, the state must provide an amount not less than ten  
3 percent of the budgeted amount under subsection (4) of this section  
4 from the previous fiscal year to be distributed to each county,  
5 prorated based on population. The distributed moneys must be used by  
6 the counties for voter outreach and education required by section 3  
7 of this act. This appropriation must be calculated separately from  
8 any prorated share of state costs which the state is required to  
9 reimburse under this chapter.

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

12       (1) County auditors must engage in voter outreach and education  
13 activities, for which they may be reimbursed as provided in RCW  
14 29A.04.420.

15       (2) As used in this section, "voter outreach and education"  
16 includes:

17       (a) Printed materials, paid advertising, video, news coverage,  
18 social media, or in-person presentations designed to:

19       (i) Educate people about the importance of voting as an act of  
20 civic engagement;

21       (ii) Educate and inform people about the entire voting process,  
22 from voter registration, to ballot deadlines, to election  
23 certification; and

24       (iii) Reduce participation gaps with outreach to communities with  
25 a history of poor voter turnout; and

26       (b) The creation of a county youth outreach council, as described  
27 in subsection (4) of this section.

28       (3) County auditors must coordinate with local school districts  
29 to engage youth in events for temperance and good citizenship day  
30 under RCW 28A.230.150.

31       (4) Each county with a population of more than five hundred  
32 thousand must create a county youth outreach council. The council  
33 must be comprised of youth ages fourteen to eighteen years old and  
34 have a minimum of seven members. The members of the council may be  
35 nominated by local youth organizations, the page programs of the  
36 senate or the house of representatives, or other programs designed to  
37 increase youth civic engagement. The county auditor, or his or her  
38 designee, shall select the council members from the nominees,  
39 determine the duration of their membership, and determine the number

1 of meetings of the council. The activities of the council may  
2 include, but are not limited to:

3 (a) Organizing events designed to increase youth voter  
4 participation;

5 (b) Attendance at events designed to educate youth about local  
6 and state elections; and

7 (c) Participation in events related to temperance and good  
8 citizenship day as created by RCW 28A.230.150.

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

11 The county auditor of each county shall be ex officio the  
12 supervisor of all primaries and elections, general or special, and it  
13 shall be the county auditor's duty to provide places for holding such  
14 primaries and elections; to provide the supplies and materials  
15 necessary for the conduct of elections; and to publish and post  
16 notices of calling such primaries and elections in the manner  
17 provided by law. The auditor shall also apportion to the county, each  
18 city, town, or district, and to the state of Washington (~~in the odd-~~  
19 ~~numbered year~~), its share of the expense of such primaries and  
20 elections. This section does not apply to general or special  
21 elections for any city, town, or district that is not subject to RCW  
22 29A.04.321 and 29A.04.330, but all such elections must be held and  
23 conducted at the time, in the manner, and by the officials (with such  
24 notice, requirements for filing for office, and certifications by  
25 local officers) as provided and required by the laws governing such  
26 elections. State and federal offices are to be considered one entity  
27 for purposes of election cost proration and reimbursement.

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

30 (1) For any reimbursement of election costs under RCW 29A.04.420,  
31 the secretary of state shall pay (~~interest at an annual rate equal~~  
32 ~~to two percentage points in excess of the discount rate on ninety-day~~  
33 ~~commercial paper in effect at the federal reserve bank in San~~  
34 ~~Francisco on the fifteenth day of the month immediately preceding the~~  
35 ~~payment for any period of time in excess of~~) within thirty days  
36 after the receipt of a properly executed and documented voucher for  
37 such expenses and the entry of an allotment from specifically  
38 appropriated funds for this purpose until those funds are exhausted.

1 If funds appropriated for this purpose are not sufficient to pay all  
2 claims, the secretary of state shall include a budget request to the  
3 legislature during the next legislative session for sufficient funds  
4 for reimbursement of all remaining claims and shall pay all properly  
5 executed and documented vouchers to the counties within thirty days  
6 of allotment of specifically appropriated funds for this purpose. The  
7 secretary of state shall promptly notify any county that submits an  
8 incomplete or inaccurate voucher for reimbursement under RCW  
9 29A.04.420.

10 (2) Funding provided in this section to counties for election  
11 costs in even-numbered years is retrospective and prospective  
12 reimbursement under RCW 43.135.060 for any new or increased  
13 responsibilities under this title.

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

16 The canvassing board shall determine the expenses for conducting  
17 a recount of votes.

18 ~~((The))~~ (1) For a recount conducted under RCW 29A.64.011, the  
19 cost of the recount shall be deducted from the amount deposited by  
20 the applicant for the recount at the time of filing the request for  
21 the recount, and the balance shall be returned to the applicant. If  
22 the costs of the recount exceed the deposit, the applicant shall pay  
23 the difference. No charges may be deducted by the canvassing board  
24 from the deposit for a recount if the recount changes the result of  
25 the nomination or election for which the recount was ordered.

26 (2) For a recount conducted under RCW 29A.64.021, for an office  
27 where the candidates filed the declarations of candidacy with the  
28 secretary of state, any legislative office, and any congressional  
29 office, the county auditor shall file an expense claim for such costs  
30 with the secretary of state. The secretary of state shall include a  
31 budget request to the legislature during the next legislative session  
32 for sufficient funds for reimbursement of all costs of the recount  
33 and shall pay all properly executed and documented vouchers to the  
34 counties within thirty days of allotment of specifically appropriated  
35 funds for this purpose. The secretary of state shall promptly notify  
36 any county that submits an incomplete or inaccurate voucher for  
37 reimbursement under this section.

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

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

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

23       NEW SECTION.   **Sec. 8.** Subject to the availability of amounts  
24 appropriated for this specific purpose, in the fiscal biennium ending  
25 June 30, 2021, the state must provide an amount up to ten percent of  
26 the state share of election expenses under RCW 29A.04.410 for the  
27 elections held in 2019 for distribution to county auditors for the  
28 purpose of voter outreach and education, as defined in section 3 of  
29 this act.

30       NEW SECTION.   **Sec. 9.** This act takes effect January 1, 2021.

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