
SUBSTITUTE SENATE BILL 6514

State of Washington **66th Legislature** **2020 Regular Session**
By Senate Local Government (originally sponsored by Senators
Schoesler and Hunt)

1 AN ACT Relating to irrigation district elections; amending RCW
2 84.56.020, 87.03.031, 87.03.032, 87.03.033, 87.03.075, and 87.03.085;
3 adding new sections to chapter 87.03 RCW; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 87.03
6 RCW to read as follows:

7 (1) The county assessor or assessors of each irrigation district
8 must annually establish and provide to the district a list of all
9 qualified electors as described in RCW 87.03.045 and 87.03.051 that
10 reside within the county of the assessor. The county assessor or
11 assessors of each district must establish such a list in order to
12 assist districts in maintaining an accurate voter roll. However, the
13 list is not an exclusive voter roll and does not supersede any list
14 maintained by the district.

15 (2) Thereafter, the county assessor or assessors of each
16 irrigation district must annually maintain, update, and provide the
17 list to the district.

18 (3) The counties in which each irrigation district is located are
19 authorized to impose a one-time assessment at the rate of one dollar
20 per acre for the purposes of this section.

1 **Sec. 2.** RCW 84.56.020 and 2019 c 332 s 1 are each amended to
2 read as follows:

3 **Treasurers' tax collection duties.**

4 (1) The county treasurer must be the receiver and collector of
5 all taxes extended upon the tax rolls of the county, whether levied
6 for state, county, school, bridge, road, municipal or other purposes,
7 and also of all fines, forfeitures or penalties received by any
8 person or officer for the use of his or her county. No treasurer may
9 accept tax payments or issue receipts for the same until the
10 treasurer has completed the tax roll for the current year's
11 collection and provided notification of the completion of the roll.
12 Notification may be accomplished electronically, by posting a notice
13 in the office, or through other written communication as determined
14 by the treasurer. All real and personal property taxes and
15 assessments made payable by the provisions of this title are due and
16 payable to the county treasurer on or before the thirtieth day of
17 April and, except as provided in this section, are delinquent after
18 that date.

19 **Tax statements.**

20 (2)(a) Tax statements for the current year's collection must be
21 distributed to each taxpayer on or before March 15th provided that:

22 (i) All city and other taxing district budgets have been
23 submitted to county legislative authorities by November 30th per RCW
24 84.52.020;

25 (ii) The county legislative authority in turn has certified taxes
26 levied to the county assessor by November 30th per RCW 84.52.070; and

27 (iii) The county assessor has delivered the tax roll to the
28 county treasurer by January 15th per RCW 84.52.080.

29 (b) Each tax statement must include a notice that checks for
30 payment of taxes may be made payable to "Treasurer of
31 County" or other appropriate office, but tax statements may not
32 include any suggestion that checks may be made payable to the name of
33 the individual holding the office of treasurer nor any other
34 individual.

35 (c) Each tax statement distributed to an address must include a
36 notice with information describing the:

37 (i) Property tax exemption program pursuant to RCW 84.36.379
38 through 84.36.389; and

39 (ii) Property tax deferral program pursuant to chapter 84.38 RCW.

1 (d) Each tax statement distributed to an address must notify the
2 taxpayer if the title owner of the property resides in an irrigation
3 district under chapter 87.03 RCW and if the title owner is
4 potentially eligible to vote or declare for candidacy as provided in
5 chapter 87.03 RCW.

6 **Tax payment due dates.**

7 **On-time tax payments: First-half taxes paid by April 30th and**
8 **second-half taxes paid by October 31st.**

9 (3) When the total amount of tax or special assessments on
10 personal property or on any lot, block or tract of real property
11 payable by one person is fifty dollars or more, and if one-half of
12 such tax is paid on or before the thirtieth day of April, the
13 remainder of such tax is due and payable on or before the following
14 thirty-first day of October and is delinquent after that date.

15 **Delinquent tax payments for current year: First-half taxes paid**
16 **after April 30th.**

17 (4) When the total amount of tax or special assessments on any
18 lot, block or tract of real property or on any mobile home payable by
19 one person is fifty dollars or more, and if one-half of such tax is
20 paid after the thirtieth day of April but before the thirty-first day
21 of October, together with the applicable interest and penalty on the
22 full amount of tax payable for that year, the remainder of such tax
23 is due and payable on or before the following thirty-first day of
24 October and is delinquent after that date.

25 **Delinquent tax payments: Interest, penalties, and treasurer**
26 **duties.**

27 (5) Except as provided in (c) of this subsection, delinquent
28 taxes under this section are subject to interest at the rate of
29 twelve percent per annum computed on a monthly basis on the amount of
30 tax delinquent from the date of delinquency until paid. Interest must
31 be calculated at the rate in effect at the time of the tax payment,
32 regardless of when the taxes were first delinquent. In addition,
33 delinquent taxes under this section are subject to penalties as
34 follows:

35 (a) A penalty of three percent of the amount of tax delinquent is
36 assessed on the tax delinquent on June 1st of the year in which the
37 tax is due.

38 (b) An additional penalty of eight percent is assessed on the
39 delinquent tax amount on December 1st of the year in which the tax is
40 due.

1 (c) If a taxpayer is successfully participating in a payment
2 agreement under subsection (15)(b) of this section or a partial
3 payment program pursuant to subsection (15)(c) of this section, the
4 county treasurer may not assess additional penalties on delinquent
5 taxes that are included within the payment agreement. Interest and
6 penalties that have been assessed prior to the payment agreement
7 remain due and payable as provided in the payment agreement.

8 (6) A county treasurer must provide notification to each taxpayer
9 whose taxes have become delinquent under subsections (4) and (5) of
10 this section. The delinquency notice must specify where the taxpayer
11 can obtain information regarding:

12 (a) Any current tax or special assessments due as of the date of
13 the notice;

14 (b) Any delinquent tax or special assessments due, including any
15 penalties and interest, as of the date of the notice; and

16 (c) Where the taxpayer can pay his or her property taxes directly
17 and contact information, including but not limited to the phone
18 number, for the statewide foreclosure hotline recommended by the
19 Washington state housing finance commission.

20 (7) Within ninety days after the expiration of two years from the
21 date of delinquency (when a taxpayer's taxes have become delinquent),
22 the county treasurer must provide the name and property address of
23 the delinquent taxpayer to a homeownership resource center or any
24 other designated local or state entity recommended by the Washington
25 state housing finance commission.

26 **Collection of foreclosure costs.**

27 (8)(a) When real property taxes become delinquent and prior to
28 the filing of the certificate of delinquency, the treasurer is
29 authorized to assess and collect tax foreclosure avoidance costs.

30 (b) When tax foreclosure avoidance costs are collected, such
31 costs must be credited to the county treasurer service fund account,
32 except as otherwise directed.

33 (c) For purposes of chapter 84.64 RCW, any taxes, interest, or
34 penalties deemed delinquent under this section remain delinquent
35 until such time as all taxes, interest, and penalties for the tax
36 year in which the taxes were first due and payable have been paid in
37 full.

38 **Periods of armed conflict.**

39 (9) Subsection (5) of this section notwithstanding, no interest
40 or penalties may be assessed during any period of armed conflict

1 regarding delinquent taxes imposed on the personal residences owned
2 by active duty military personnel who are participating as part of
3 one of the branches of the military involved in the conflict and
4 assigned to a duty station outside the territorial boundaries of the
5 United States.

6 **State of emergency.**

7 (10) During a state of emergency declared under RCW
8 43.06.010(12), the county treasurer, on his or her own motion or at
9 the request of any taxpayer affected by the emergency, may grant
10 extensions of the due date of any taxes payable under this section as
11 the treasurer deems proper.

12 **Retention of funds from interest.**

13 (11) All collections of interest on delinquent taxes must be
14 credited to the county current expense fund.

15 (12) For purposes of this chapter, "interest" means both interest
16 and penalties.

17 **Retention of funds from property foreclosures and sales.**

18 (13) The direct cost of foreclosure and sale of real property,
19 and the direct fees and costs of distraint and sale of personal
20 property, for delinquent taxes, must, when collected, be credited to
21 the operation and maintenance fund of the county treasurer
22 prosecuting the foreclosure or distraint or sale; and must be used by
23 the county treasurer as a revolving fund to defray the cost of
24 further foreclosure, distraint, and sale because of delinquent taxes
25 without regard to budget limitations and not subject to indirect
26 costs of other charges.

27 **Tax due dates and options for tax payment collections.**

28 **Electronic billings and payments.**

29 (14) For purposes of this chapter, and in accordance with this
30 section and RCW 36.29.190, the treasurer may collect taxes,
31 assessments, fees, rates, interest, and charges by electronic billing
32 and payment. Electronic billing and payment may be used as an option
33 by the taxpayer, but the treasurer may not require the use of
34 electronic billing and payment. Electronic bill presentment and
35 payment may be on a monthly or other periodic basis as the treasurer
36 deems proper for:

37 (a) Delinquent tax year payments; and

38 (b) Prepayments of current tax.

39 **Tax payments.**

40 **Prepayment for current taxes.**

1 (15)(a) The treasurer may accept prepayments for current year
2 taxes by any means authorized. All prepayments must be paid in full
3 by the due date specified in subsection (16) of this section.

4 **Payment agreements for current year taxes.**

5 (b)(i) The treasurer may provide, by electronic means or
6 otherwise, a payment agreement that provides for payment of current
7 year taxes, inclusive of prepayment collection charges. The payment
8 agreement must be signed by the taxpayer and treasurer or the
9 treasurer's deputy prior to the sending of an electronic or
10 alternative bill, which includes a payment plan for current year
11 taxes.

12 **Payment agreements for delinquent year taxes.**

13 (ii)(A) The treasurer may provide, by electronic means or
14 otherwise, a payment agreement for payment of past due delinquencies.
15 The payment agreement must be signed by the taxpayer and treasurer or
16 the treasurer's deputy prior to the sending of an electronic or
17 alternative bill, which includes a payment plan for past due
18 delinquent taxes and charges.

19 (B) Tax payments received by a treasurer for delinquent year
20 taxes from a taxpayer participating on a payment agreement must be
21 applied first to the oldest delinquent year unless such taxpayer
22 requests otherwise.

23 **Partial payments: Acceptance of partial payments for current and**
24 **delinquent taxes.**

25 (c)(i) In addition to the payment agreement program in (b) of
26 this subsection, the treasurer may accept partial payment of any
27 current and delinquent taxes including interest and penalties by any
28 means authorized including electronic bill presentment and payments.

29 (ii) All tax payments received by a treasurer for delinquent year
30 taxes from a taxpayer paying a partial payment must be applied first
31 to the oldest delinquent year unless such taxpayer requests
32 otherwise.

33 **Payment for delinquent taxes.**

34 (d) Payments on past due taxes must include collection of the
35 oldest delinquent year, which includes interest, penalties, and taxes
36 within an eighteen-month period, prior to filing a certificate of
37 delinquency under chapter 84.64 RCW or distraint pursuant to RCW
38 84.56.070.

39 **Due date for tax payments.**

1 (16) All taxes upon real and personal property made payable by
2 the provisions of this title are due and payable to the treasurer on
3 or before the thirtieth day of April and are delinquent after that
4 date. The remainder of the tax is due and payable on or before the
5 following thirty-first of October and is delinquent after that date.
6 All other assessments, fees, rates, and charges are delinquent after
7 the due date.

8 **Electronic funds transfers.**

9 (17) A county treasurer may authorize payment of:

10 (a) Any current property taxes due under this chapter by
11 electronic funds transfers on a monthly or other periodic basis; and

12 (b) Any past due property taxes, penalties, and interest under
13 this chapter by electronic funds transfers on a monthly or other
14 periodic basis. Delinquent taxes are subject to interest and
15 penalties, as provided in subsection (5) of this section. All tax
16 payments received by a treasurer from a taxpayer paying delinquent
17 year taxes must be applied first to the oldest delinquent year unless
18 such taxpayer requests otherwise.

19 **Payment for administering prepayment collections.**

20 (18) The treasurer must pay any collection costs, investment
21 earnings, or both on past due payments or prepayments to the credit
22 of a county treasurer service fund account to be created and used
23 only for the payment of expenses incurred by the treasurer, without
24 limitation, in administering the system for collecting prepayments.

25 **Waiver of interest and penalties for qualified taxpayers subject**
26 **to foreclosure.**

27 (19) No earlier than sixty days prior to the date that is three
28 years after the date of delinquency, the treasurer must waive all
29 outstanding interest and penalties on delinquent taxes due from a
30 taxpayer if the property is subject to an action for foreclosure
31 under chapter 84.64 RCW and the following requirements are met:

32 (a) The taxpayer is income-qualified under RCW 84.36.381(5)(a),
33 as verified by the county assessor;

34 (b) The taxpayer occupies the property as their principal place
35 of residence; and

36 (c) The taxpayer has not previously received a waiver on the
37 property as provided under this subsection.

38 **Definitions.**

39 (20) The definitions in this subsection apply throughout this
40 section unless the context clearly requires otherwise.

1 (a) "Electronic billing and payment" means statements, invoices,
2 or bills that are created, delivered, and paid using the internet.
3 The term includes an automatic electronic payment from a person's
4 checking account, debit account, or credit card.

5 (b) "Internet" has the same meaning as provided in RCW
6 19.270.010.

7 (c) "Tax foreclosure avoidance costs" means those direct costs
8 associated with the administration of properties subject to and prior
9 to foreclosure. Tax foreclosure avoidance costs include:

10 (i) Compensation of employees for the time devoted to
11 administering the avoidance of property foreclosure; and

12 (ii) The cost of materials, services, or equipment acquired,
13 consumed, or expended in administering tax foreclosure avoidance
14 prior to the filing of a certificate of delinquency.

15 **Sec. 3.** RCW 87.03.031 and 2013 c 23 s 481 are each amended to
16 read as follows:

17 (1) Any qualified district elector who certifies as provided in
18 RCW 87.03.032 through 87.03.034 that he or she cannot conveniently be
19 present to cast his or her ballot at his or her proper election
20 precinct on the day of any irrigation district election shall be
21 entitled to vote by absentee ballot in such election in the manner
22 herein provided.

23 (2) In a district with an annual revenue of more than one million
24 dollars, every qualified district elector is entitled to vote by
25 absentee ballot in any irrigation district election, without
26 certifying that he or she cannot conveniently be present to cast his
27 or her ballot at his or her proper election precinct on the day of
28 the irrigation district election.

29 **Sec. 4.** RCW 87.03.032 and 2013 c 23 s 482 are each amended to
30 read as follows:

31 (1) The notice of election shall conform to the requirements for
32 election notices provided by ((Title 87 RCW)) this title for the
33 election being held, and shall specify in addition that any qualified
34 district elector who certifies that he or she cannot conveniently be
35 present at his or her proper election precinct on the day of election
36 may vote by absentee ballot, and that a ballot and form of
37 certificate of qualifications will be furnished to him or her on
38 written request being made of the district's secretary. The requisite

1 ballot and a form of certificate of qualifications shall be furnished
2 by the district's secretary to any person who prior to the date of
3 election makes written request therefor, stating that he or she is a
4 qualified district elector. Such ballot and form may be furnished
5 also to qualified district electors in any way deemed to be
6 convenient without regard to requests having been made therefor.

7 (2) (a) In a district with an annual revenue of more than one
8 million dollars, the notice of election shall conform to the
9 requirements for election notices provided by this title for the
10 election being held, and shall specify in addition that any qualified
11 district elector may vote by absentee ballot, and that a ballot and
12 form of certificate of qualifications will be sent, without request,
13 to the elector at the address of the property that entitles him or
14 her to vote in district elections.

15 (b) In such districts, voting by absentee ballot shall be the
16 regular method for the return of votes cast in an irrigation district
17 election, but districts may also choose to conduct elections at
18 designated polling places.

19 **Sec. 5.** RCW 87.03.033 and 2013 c 23 s 483 are each amended to
20 read as follows:

21 (1) To be counted in a given election, an absentee ballot must
22 conform to these requirements:

23 (a) It must be sealed in an unmarked envelope and in an
24 additional outer envelope as provided in (b) of this subsection and
25 delivered to the district's principal office prior to the close of
26 the polls on the day of that election; or be sealed in an unmarked
27 envelope and in an additional outer envelope as provided in (b) of
28 this subsection and mailed to the district's secretary, postmarked
29 not later than midnight of that election day and received by the
30 secretary within five days of that date.

31 (b) (i) To ensure secrecy of the vote, the unmarked envelope must
32 be sealed within an additional outer envelope, requiring the ballot
33 to be provided with two envelopes for ballot return.

34 (ii) Districts with an annual revenue of one million dollars or
35 less are not required to provide two envelopes for ballot return or
36 have the unmarked envelope sealed with an additional outer envelope.

37 (c) The sealed envelopes containing the ballot shall be
38 accompanied by a certificate of qualifications stating, with respect
39 to the voter, his or her name, age, citizenship, residence, and that

1 he or she holds title or evidence of title to lands within the
2 district which, under RCW 87.03.045 entitles him or her to vote in
3 the election, and for districts with an annual revenue of one million
4 dollars or less, that he or she cannot conveniently be present to
5 cast his or her ballot at his or her proper election precinct on
6 election day.

7 ((~~e~~)) (d) The statements in the certificate of qualifications
8 shall be certified as correct by the voter by the affixing of his or
9 her signature thereto in the presence of a witness who is acquainted
10 with the voter, and the voter shall enclose and seal his or her
11 ballot in the unmarked envelope and outer envelope in the presence of
12 this witness but without disclosing his or her vote. The witness, by
13 affixing his or her signature to the certificate of qualifications,
14 shall certify that he or she is acquainted with the voter, that in
15 his or her presence the voter's signature was affixed and the ballot
16 enclosed as required in this paragraph.

17 (2) The form of statement of qualifications and its certification
18 shall be substantially as prescribed by the district's board of
19 directors. This form may also provide that the voter shall describe
20 all or some part of his or her lands within the district which, under
21 RCW 87.03.045 entitles him or her to vote in the election, but a
22 voter otherwise qualified shall not be disqualified because of the
23 absence or inaccuracy of the description so given. The regular form
24 of irrigation district ballot shall be used by absentee voters.

25 **Sec. 6.** RCW 87.03.075 and 2013 c 23 s 485 are each amended to
26 read as follows:

27 (1) Voting in an irrigation district shall be by ballot. Ballots
28 shall be of uniform size and quality, provided by the district, and
29 for the election of directors shall contain only the names of the
30 candidates who have filed with the secretary of the district a
31 declaration in writing of their candidacy, or a petition of
32 nomination as hereinafter provided, not later than five o'clock p.m.
33 on the first Monday in November. Ballots shall contain space for
34 sticker voting or for the writing in of the name of an undeclared
35 candidate. Ballots shall be issued by the election board according to
36 the number of votes an elector is entitled to cast. A person filing a
37 declaration of candidacy, or petition of nomination as hereinafter
38 provided, shall designate therein the position for which he or she is

1 a candidate. No ballots on any form other than the official form
2 shall be received or counted.

3 In any election for directors where the number of votes which may
4 be received will have no bearing on the length of the term to be
5 served, the candidates for the position of director, in lieu of
6 filing a declaration of candidacy hereunder, shall file with the
7 secretary of the district a petition of nomination signed by at least
8 ten qualified electors of the district, or of the division if the
9 district has been divided into director divisions, not later than
10 five o'clock p.m. on the first Monday in November. If, after the
11 expiration of the date for filing petitions of nomination, it appears
12 that only one qualified candidate has been nominated thereby for each
13 position to be filled it shall not be necessary to hold an election,
14 and the board of directors shall at their next meeting declare such
15 candidate elected as director. The secretary shall immediately make
16 and deliver to such person a certificate of election signed by him or
17 her and bearing the seal of the district. The procedure set forth in
18 this paragraph shall not apply to any other irrigation district
19 elections.

20 (2) In a district with an annual revenue of more than one million
21 dollars, an election must still be held even if, after the expiration
22 of the date for filing petitions of nomination, it appears that only
23 one qualified candidate has been nominated. The ballot for such
24 position must provide the name of the nominated candidate and a space
25 for writing in any other qualified candidate who was eligible to be
26 nominated prior to the expiration of the date for filing petitions of
27 nomination.

28 **Sec. 7.** RCW 87.03.085 and 1987 c 123 s 1 are each amended to
29 read as follows:

30 (1) Fifteen days before any election held under this chapter,
31 subsequent to the organization of any district, the secretary of the
32 board of directors shall cause notices to be posted in three public
33 places in each election precinct, of the time and place of holding
34 the election. The secretary shall also post a general notice of the
35 same in the office of the board, which shall be established and kept
36 at some fixed place to be determined by the board, specifying the
37 polling places of each precinct. Prior to the time for posting the
38 notices, the board must appoint for each precinct, from the electors
39 thereof, one inspector and two judges, who shall constitute a board

1 of election for the precinct. If the board fails to appoint a board
2 of election, or the members appointed do not attend at the opening of
3 the polls on the morning of election, the electors of the precinct
4 present at that hour may appoint the board, or supply the place of an
5 absent member thereof. The board of directors must, in its order
6 appointing the board of election, designate the house or place within
7 the precinct where the election must be held. However, in any
8 irrigation district that is less than two hundred thousand acres in
9 size and is divided into director divisions, the board of directors
10 in its discretion may designate one polling place within the district
11 to serve more than one election precinct. The board of directors of
12 any irrigation district may designate the principal business office
13 of the district as a polling place to serve one or more election
14 precincts and may do so regardless of whether the business office is
15 located within or outside of the boundaries of the district. If the
16 board of directors does designate a single polling place for more
17 than one election precinct, then the election officials appointed by
18 the board of directors may serve more than one election precinct and
19 the election officials may be electors of any of the election
20 precincts for which they are the election board.

21 (2) (a) A district with an annual revenue of more than one million
22 dollars is subject to the following additional notice requirements:

23 (i) Thirty days before any election held under this chapter,
24 subsequent to the organization of any district, the district must
25 notify each qualified elector directly, either by mail or electronic
26 communication, of the time and place of holding the election; and

27 (ii) Sixty days before the petition of nomination filing deadline
28 under RCW 87.03.075, the district must notify each qualified elector
29 of the expiration of the term of any serving director that will occur
30 that year. This notice must also include the method and deadline for
31 declaring candidacy under RCW 87.03.075.

32 (b) Each district must establish and maintain a web site, either
33 individually or through the Washington state water resources
34 association, in order to communicate with qualified electors. The web
35 site must include, but is not limited to, the names of the board of
36 directors, district rules and procedures, state law on irrigation
37 districts, current assessments, district services and projects,
38 information on elections, including election results, and contact
39 information for the district.

1 NEW SECTION. **Sec. 8.** A new section is added to chapter 87.03
2 RCW to read as follows:

3 The following election security requirements apply to districts
4 that have an annual revenue of more than one million dollars:

5 (1) At all times when ballots are being controlled including, but
6 not limited to, receipt, opening of ballots, certification,
7 tabulation, reconciliation, or any other type of processing, two
8 individuals not on the ballot must be present;

9 (2) (a) Each ballot box must be secured and locked, with a deposit
10 slot, and clearly marked as an "official ballot box." Ballot box keys
11 must be provided to district election officials only, or designated
12 district staff if available;

13 (b) Each ballot box must be closed with tamper-evident seals with
14 a paper seal log:

15 (i) Each time the box is opened, a new seal log must be signed,
16 with the seal number noted and dated;

17 (ii) When the box is opened, the previous seal log must be
18 compared to the cut seal and initialed; and

19 (iii) All seal logs must be retained;

20 (c) Each ballot box must be physically secured so that it cannot
21 be stolen or moved, except by district election officials only, or
22 designated district staff if available;

23 (d) Any election officials or district staff carrying out
24 official ballot or election duties may not be a candidate on the
25 election ballot;

26 (3) (a) Ballot envelopes may not be opened immediately after voter
27 deposit, and ballots must be opened in batches, rather than
28 individually;

29 (b) The number of tabulated ballots must be reconciled with the
30 number of ballots received;

31 (c) Tabulated ballots must be stored separately from uncounted or
32 challenged ballots as referenced in subsection (4) of this section;

33 (d) Processing of ballots must be open to observation by the
34 public;

35 (e) Any election officials or district staff participating in the
36 processing of ballots may not be a candidate on the ballot;

37 (f) Once processing of ballots is completed, date and time of the
38 verification of processing must be posted in either (i) the district
39 office, for at least two weeks; (ii) on the district web site, for at
40 least two weeks; or (iii) at least once a week for two weeks in one

1 or more newspapers of general circulation within the irrigation
2 district;

3 (4) (a) Each district must establish a written challenge process
4 in order to allow individuals to challenge the vote of an individual
5 voter;

6 (b) Written challenge procedures must be established for
7 challenges made by both the public and district election officials or
8 staff;

9 (c) The outcome of the challenge must be posted in either (i) the
10 district office, for at least two weeks; (ii) on the district web
11 site, for at least two weeks; or (iii) at least once a week for two
12 weeks in one or more newspapers of general circulation within the
13 irrigation district;

14 (5) Each district must establish a written cure procedure for
15 curing errors that occurred during ballot processing or are
16 discovered through valid voter challenges, including a clear timeline
17 for when the cure will occur; and

18 (6) Lists and reports of ballots, election outcomes, voter
19 challenges and challenge outcomes, and curing of errors must be
20 maintained by each district and made available to the public.

21 NEW SECTION. **Sec. 9.** A new section is added to chapter 87.03
22 RCW to read as follows:

23 A district with an annual revenue of more than one million
24 dollars is subject to the following penalties for election security
25 violations:

26 (1) Any person who willfully violates any of the provisions of
27 section 8 (1) through (3) of this act is guilty of a gross
28 misdemeanor punishable under RCW 9A.20.021;

29 (2) Any person who, without lawful authority, removes a ballot
30 from a polling place or ballot drop location is guilty of a gross
31 misdemeanor punishable under RCW 9A.20.021; and

32 (3) A person is guilty of a gross misdemeanor punishable under
33 RCW 9A.20.021 who knowingly:

34 (a) Deceives any voter in recording his or her vote by providing
35 incorrect or misleading recording information or by providing faulty
36 election equipment or records; or

37 (b) Records the vote of any voter in a manner other than as
38 designated by the voter.

1 NEW SECTION. **Sec. 10.** A new section is added to chapter 87.03
2 RCW to read as follows:

3 The secretary of state must adopt model rules and standard
4 practices in order to assist districts in implementing the
5 requirements of this act.

--- END ---