
SUBSTITUTE SENATE BILL 5017

State of Washington

69th Legislature

2025 Regular Session

By Senate State Government, Tribal Affairs & Elections (originally sponsored by Senators Nobles, Dhingra, Liiias, Pedersen, Saldaña, Trudeau, and Wellman; by request of Secretary of State and Uniform Law Commission)

1 AN ACT Relating to adopting national standards for uniformed and
2 overseas civilian voting, including conforming amendments to existing
3 statute; amending RCW 29A.04.109, 29A.04.151, 29A.04.163, 29A.04.210,
4 29A.08.107, 29A.40.050, 29A.40.070, 29A.40.091, and 29A.40.110;
5 reenacting and amending RCW 29A.40.110; adding new sections to
6 chapter 29A.04 RCW; adding a new chapter to Title 29A RCW; providing
7 an effective date; and providing an expiration date.

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

9 **PART I**

10 **ADOPTION OF NATIONAL STANDARDS**

11 NEW SECTION. **Sec. 101.** INTENT. The legislature finds voting
12 rights for all eligible citizens a priority, this includes assisting
13 Washington citizens serving in the military and those living overseas
14 in securing their voting rights. These rights must be secured for the
15 voters and against interference. This act conforms Washington voting
16 law with federal law concerning voting rights for military and
17 overseas voters by enacting the uniform military and overseas voters
18 act.

1 NEW SECTION. **Sec. 102.** DEFINITIONS. The definitions in this
2 section apply throughout this chapter unless the context clearly
3 requires otherwise.

4 (1) "Covered voter" means:

5 (a) A uniformed-service voter or an overseas voter who is
6 registered to vote in Washington state;

7 (b) A uniformed-service voter defined in subsection (9)(a) of
8 this section whose voting residence is in this state and who
9 otherwise satisfies Washington state voter eligibility requirements;

10 (c) An overseas voter who, before leaving the United States, was
11 last eligible to vote in Washington state and, except for a state
12 residency requirement, otherwise satisfies Washington state voter
13 eligibility requirements;

14 (d) An overseas voter who, before leaving the United States,
15 would have been last eligible to vote in Washington state had the
16 voter then been of voting age and, except for a state residency
17 requirement, otherwise satisfies this state's voter eligibility
18 requirements; or

19 (e) An overseas voter who was born outside the United States, is
20 not described in (c) or (d) of this subsection, and, except for a
21 state residency requirement, otherwise satisfies Washington state
22 voter eligibility requirements, if:

23 (i) The last place where a parent, legal guardian, or family
24 member of the voter is, was, or under this chapter would have been,
25 eligible to vote currently, or before leaving the United States is
26 within Washington state; and

27 (ii) The voter has not previously registered to vote in any other
28 state and is not registered to vote in another state.

29 (2) "Dependent" means an individual recognized as a dependent by
30 a uniformed service, and, by reason of the active duty or service of
31 the member, is absent from the place of residence where the dependent
32 is otherwise qualified to vote.

33 (3) "Federal postcard application" means the application
34 prescribed under section 101(b)(2) of the uniformed and overseas
35 citizens absentee voting act, 52 U.S.C. Sec. 20301(b)(2).

36 (4) "Federal write-in absentee ballot" means the ballot described
37 in section 103 of the uniformed and overseas citizens absentee voting
38 act, 52 U.S.C. Sec. 20303.

39 (5) "Military-overseas ballot" means:

40 (a) A federal write-in absentee ballot;

1 (b) A ballot specifically prepared or distributed for use by a
2 covered voter in accordance with Washington voting law; or

3 (c) A ballot cast by a covered voter in accordance with
4 Washington voting law.

5 (6) "Overseas voter" means a United States citizen who is outside
6 the United States.

7 (7) "State" means a state of the United States, the District of
8 Columbia, Puerto Rico, the United States Virgin Islands, or any
9 territory or insular possession subject to the jurisdiction of the
10 United States.

11 (8) "Uniformed service" means:

12 (a) Active and reserve components of the army, navy, air force,
13 marine corps, coast guard, or space force of the United States;

14 (b) The merchant marine, the commissioned corps of the public
15 health service, or the commissioned corps of the national oceanic and
16 atmospheric administration of the United States; or

17 (c) The national guard and state militia.

18 (9) "Uniformed-service voter" means an individual who is
19 qualified to vote and is:

20 (a) A member of the active or reserve components of the army,
21 navy, air force, marine corps, coast guard, or space force of the
22 United States who is on active duty, including students or faculty
23 members at a United States military academy;

24 (b) A member of the merchant marine, the commissioned corps of
25 the public health service, or the commissioned corps of the national
26 oceanic and atmospheric administration of the United States;

27 (c) A member on activated status of the national guard or state
28 militia; or

29 (d) A spouse or dependent of a member referred to in this
30 subsection, and, by reason of the active duty or service of the
31 member, is absent from the place of residence where the spouse or
32 dependent is otherwise qualified to vote.

33 (10) "United States," used in the territorial sense, means the
34 several states, the District of Columbia, Puerto Rico, the United
35 States Virgin Islands, and any territory or insular possession
36 subject to the jurisdiction of the United States.

37 NEW SECTION. **Sec. 103.** ELECTIONS COVERED. The voting procedures
38 in this chapter apply to:

1 (1) A general, special, presidential primary, or election for
2 federal office;

3 (2) A general, special, recall, or primary election for statewide
4 or state legislative office or state ballot measure; and

5 (3) A general, special, recall, or primary election for local
6 government office or local ballot measure conducted under this title.

7 NEW SECTION. **Sec. 104.** ROLE OF SECRETARY OF STATE. (1) The
8 secretary of state, working cooperatively with county auditors, is
9 the state official responsible for implementing this act and the
10 state's responsibilities under the uniformed and overseas citizens
11 absentee voting act, 52 U.S.C. Sec. 20301 et seq.

12 (2) The secretary of state shall make available to covered voters
13 information regarding voter registration procedures for covered
14 voters and procedures for casting military-overseas ballots. The
15 secretary of state may delegate the responsibility under this
16 subsection for voter registration and ballot production and
17 processing only to county auditor offices.

18 (3) The secretary of state shall establish an electronic
19 transmission system through which a covered voter may apply for and
20 receive voter registration materials, military-overseas ballots, and
21 other information under this chapter.

22 (4) The secretary of state shall:

23 (a) Develop standardized absentee-voting materials, including
24 privacy and transmission envelopes and their electronic equivalents,
25 authentication materials, and voting instructions, for use with a
26 military-overseas ballot of a voter authorized to vote in any
27 jurisdiction in this state; and

28 (b) To the extent reasonably possible, coordinate with county
29 auditors and other states to carry out this subsection.

30 (5) The secretary of state shall prescribe the form and content
31 of a declaration for use by a covered voter to swear or affirm
32 specific representations pertaining to the voter's identity,
33 eligibility to vote, status as a covered voter, and timely and proper
34 completion of an overseas-military ballot. The declaration must be
35 based on the declaration prescribed to accompany a federal write-in
36 absentee ballot, as modified to be consistent with this chapter. The
37 secretary of state shall ensure that a form for the execution of the
38 declaration, including an indication of the date of execution of the

1 declaration, is a prominent part of all balloting materials for which
2 the declaration is required.

3 NEW SECTION. **Sec. 105.** OVERSEAS VOTER'S REGISTRATION ADDRESS.
4 In registering to vote, a covered voter who is eligible to vote in
5 this state shall use and must be assigned to the voting precinct
6 associated with the address of the last place of residence of the
7 voter in this state, or, in the case of a voter described by section
8 102(1)(e) of this act, the address of the last place of residence in
9 this state of the parent, legal guardian, or family member of the
10 voter.

11 NEW SECTION. **Sec. 106.** METHODS OF REGISTERING TO VOTE. (1) To
12 apply to register to vote, in addition to any other approved method,
13 a covered voter may use a federal postcard application, or the
14 application's electronic equivalent.

15 (2) A covered voter may use the declaration accompanying a
16 federal write-in absentee ballot or Washington state ballot to apply
17 to register to vote simultaneously with the submission of the federal
18 write-in absentee ballot, if the declaration is received by 8:00 p.m.
19 election day. If the declaration is received after that date and
20 time, it must be treated as an application to register to vote for
21 subsequent elections.

22 (3) The secretary of state shall ensure that the electronic
23 transmission system described in section 104(3) of this act is
24 capable of accepting both a federal postcard application and any
25 other approved electronic registration application sent to the
26 appropriate election official. A covered voter may use the electronic
27 transmission system or any other approved method to register to vote.

28 NEW SECTION. **Sec. 107.** METHODS OF APPLYING FOR MILITARY-
29 OVERSEAS BALLOT. (1) To receive the benefits of this chapter, a
30 covered voter must inform the appropriate election official that the
31 voter is a covered voter. Methods of informing the appropriate
32 election official that a voter is a covered voter include, but are
33 not limited to:

34 (a) The use of a federal postcard application or federal write-in
35 absentee ballot;

36 (b) The use of an overseas mailing address on an approved voter
37 registration application;

1 (c) The use of a check box or other indication on an approved
2 voter registration application indicating that the voter is an
3 overseas voter or uniformed-service voter; and

4 (d) The inclusion on an approved voter registration application
5 or communication with a county auditor of other information
6 sufficient to identify the voter as a covered voter.

7 (2) This chapter does not preclude a covered voter from voting
8 under standard vote by mail law as defined in this title.

9 NEW SECTION. **Sec. 108.** TIMELINESS AND SCOPE OF APPLICATION FOR
10 MILITARY-OVERSEAS BALLOT. An application for a UOCAVA ballot is
11 timely if received by election day. An application for a UOCAVA
12 ballot for a primary election, whether or not timely, is effective as
13 an application for a UOCAVA ballot for the general election. The
14 auditor shall send the mail ballot as soon as practicable after the
15 application arrives. If a voter registration application is received
16 within 20 days prior to an election and the covered voter has
17 provided an email address, a notification should be immediately
18 provided on how to obtain a ballot by email or online in the event
19 that the voter does not receive it by election day.

20 NEW SECTION. **Sec. 109.** TRANSMISSION OF UNVOTED BALLOTS. (1) The
21 county auditor must mail UOCAVA ballots to each service and overseas
22 voter at least 30 days before each special election, and at least 45
23 days before each primary or general election, presidential primary,
24 or any special election that involves a federal office. A request for
25 a ballot made by an overseas or service voter after that day must be
26 processed immediately.

27 (2) Covered voters may request that their ballots and balloting
28 materials for each election be sent to them by electronic
29 transmission instead of by mail. A covered voter who requests that a
30 ballot and balloting materials be sent to the voter by electronic
31 transmission may choose facsimile transmission or email delivery, or,
32 if offered by the voter's jurisdiction, internet delivery. The
33 auditor shall transmit the ballot to the voter using the means of
34 transmission chosen by the voter.

35 (3) If a ballot application from a covered voter arrives after
36 the jurisdiction begins transmitting ballots to voters, the auditor
37 shall transmit a ballot as soon as practicable.

1 (4) Failure to mail ballots as prescribed in this section does
2 not by itself provide a basis for an election contest or other legal
3 challenge to the results of a primary, general election, or special
4 election.

5 NEW SECTION. **Sec. 110.** TIMELY CASTING OF BALLOT. To be valid, a
6 voted UOCAVA ballot must be received by the appropriate county
7 auditor not later than the day prior to the county certification of
8 election results for that election, and the voter must have submitted
9 the ballot for mailing, or other authorized means of delivery not
10 later than 8:00 p.m. the date of the election.

11 NEW SECTION. **Sec. 111.** FEDERAL WRITE-IN ABSENTEE BALLOT. A
12 covered voter may use a federal write-in absentee ballot to vote for
13 all offices and ballot measures in an election described in RCW
14 29A.04.210.

15 NEW SECTION. **Sec. 112.** RECEIPT OF VOTED BALLOT. (1) A valid
16 UOCAVA ballot cast in accordance with section 110 of this act must be
17 counted if it is delivered by the end of business on the day before
18 the deadline for certification of the election under RCW 29A.60.190
19 to the county auditor.

20 (2) If, at the time of completing a UOCAVA ballot, the voter has
21 signed and dated the ballot declaration under penalty of perjury that
22 the ballot was timely submitted, the ballot may not be rejected on
23 the basis that it has a late postmark, an unreadable postmark, or no
24 postmark.

25 NEW SECTION. **Sec. 113.** CONFIRMATION OF RECEIPT OF APPLICATION
26 AND VOTED BALLOT. The secretary of state, in coordination with county
27 auditors, shall implement an electronic free-access system by which a
28 covered voter may determine by telephone, email, or internet whether:

29 (1) The voter's federal postcard application or other
30 registration or military-overseas ballot application has been
31 received and accepted; and

32 (2) The voter's military-overseas ballot has been received and
33 the current status of the ballot.

34 NEW SECTION. **Sec. 114.** USE OF VOTER'S ELECTRONIC-MAIL ADDRESS.
35 (1) The county auditor shall request an email address from each

1 covered voter who registers to vote. An email address provided by a
2 covered voter may not be made available to the public or any
3 individual or organization other than an authorized agent of the
4 county auditor and is exempt from inspection and copying under
5 chapter 42.56 RCW. The address may be used only for official
6 communication with the voter about the voting process, including
7 transmitting military-overseas ballots and election materials if the
8 voter has requested electronic transmission, and verifying the
9 voter's mailing address and physical location. The request for an
10 email address must describe the purposes for which the email address
11 may be used and include a statement that any other use or disclosure
12 of the email address is prohibited.

13 (2) A covered voter who provides an email address may make a
14 standing request for electronic delivery of a ballot for all
15 elections held in which the voter is eligible to vote while the voter
16 is registered as an overseas or uniformed-service voter. A county
17 auditor shall provide a military-overseas ballot by electronic
18 delivery to a voter who makes a standing request for each election to
19 which the request is applicable.

20 NEW SECTION. **Sec. 115.** BALLOT RETURN PORTAL. (1) The secretary
21 of state shall explore options for an electronic ballot portal to be
22 available for UOCAVA voters that are not able to access standard mail
23 return of voted ballots.

24 (2) Only UOCAVA voters shall be permitted to use an approved
25 portal to return voted ballots.

26 (3)(a) The secretary of state must work to develop and test
27 electronic methods of ballot return for UOCAVA voters that are secure
28 against electronic monitoring and incursion or interference, provides
29 the maximum level of voter secrecy and privacy available, and ensures
30 that only a single vote is cast by any UOCAVA voter.

31 (b) The secretary of state may establish rules governing the use
32 of any approved portal that include times of availability, storage of
33 ballots, and establishing the circumstance in which a UOCAVA voter
34 may use the portal to return a voted ballot.

35 (c) The secretary of state may establish reasonable rules related
36 to the standards and procedures for the examination and testing of
37 any portal to be used by UOCAVA voters.

38 (d) Each county election office using an approved portal for the
39 return of voted UOCAVA ballots must keep record of every attempt at

1 ballot return, successful and unsuccessful, and prepare a report at
2 the conclusion of each voting period listing the number of ballots
3 returned using the portal and confirming that only UOCAVA voters used
4 the portal. The report must be submitted to the secretary of state
5 using the deadlines contained in RCW 29A.60.190.

6 (e) The secretary of state shall prepare a statewide report
7 annually aggregating the information provided by each county.

8 (f) No electronic ballot portal may be approved or deployed
9 without express statutory authority. The secretary of state shall
10 provide an annual report on its progress developing the portal to the
11 appropriate committees of the legislature by December 1st of each
12 calendar year, with a final report due December 1, 2028.

13
14 NEW SECTION. **Sec. 116.** RETURN OF VOTED BALLOTS. (1) UOCAVA
15 voters may return voted ballots using fax or email or an electronic
16 portal approved by the secretary of state specifically for that
17 purpose under the requirements of section 115 of this act.

18 (2) UOCAVA voters must be provided with instructions and a
19 privacy sheet for returning the ballot and signed declaration by fax,
20 email, or electronic portal. Return envelopes for UOCAVA ballots must
21 enable the ballot to be returned postage free if mailed through the
22 United States postal service, United States armed forces postal
23 service, or the postal service of a United States foreign embassy
24 under 39 U.S.C. Sec. 3406.

25 (3) A voted UOCAVA ballot and signed declaration returned by fax,
26 email, or electronic portal must be received by 8:00 p.m. Pacific
27 Time on the day of the primary or election.

28 (4) The county auditor must establish procedures to maintain the
29 secrecy of the ballot for any UOCAVA ballot returned using fax,
30 email, or electronic portal.

31 (5) The use of fax, email, or electronic portal is limited to
32 only UOCAVA voters that meet the requirements of section 102 of this
33 act.

34 NEW SECTION. **Sec. 117.** CREATION OF A LIST OF KNOWN CANDIDATES
35 AND ISSUES REFERRED TO THE BALLOT. (1) At least 90 days before a
36 regularly scheduled election and as soon as practicable before a
37 special election, the county auditor shall prepare a list of known
38 candidates and issues referred to the ballot for that jurisdiction,

1 to be used in conjunction with a federal write-in absentee ballot.
2 The list must contain all the ballot measures and federal, state, and
3 local offices that as of that date the official expects to be on the
4 ballot on the date of the election. This list must be accompanied by
5 specific instructions for how a voter is to indicate on the federal
6 write-in absentee ballot the voter's choice for each office to be
7 filled and for each ballot measure to be contested.

8 (2) A covered voter may request a copy of this list and
9 instructions. The official charged with preparing the list shall send
10 it to the voter by facsimile, email, or regular mail, as the voter
11 requests.

12 (3) As soon as candidates are certified for the ballot, and not
13 later than the date ballots are required to be transmitted to voters
14 under RCW 29A.40.070, the official charged with preparing the list
15 under subsection (1) of this section shall update it with the
16 certified candidates for each office and ballot measure questions and
17 make the updated list publicly available.

18 (4) The county auditor shall make the list prepared under
19 subsection (1) of this section and updated versions of the list
20 regularly available on the auditor's website.

21 NEW SECTION. **Sec. 118.** PROHIBITION OF NONSUBSTANTIVE
22 REQUIREMENTS. (1) If a voter's mistake or omission in the completion
23 of a document under this chapter does not prevent determining whether
24 a covered voter is eligible to vote, the mistake or omission does not
25 invalidate the document. Failure to satisfy a nonsubstantive
26 requirement, such as using paper or envelopes of a specified size or
27 weight, does not invalidate a document submitted under this chapter.
28 In a write-in ballot authorized by this chapter, if the intention of
29 the voter is discernible under the statewide standard uniform
30 definition of what constitutes a vote published by the secretary of
31 state, an abbreviation, misspelling, or other minor variation in the
32 form of the name of a candidate or a political party must be accepted
33 as a valid vote.

34 (2) The declaration and any information in the declaration may be
35 compared with information on file to ascertain the validity of the
36 document.

37 (3) Notarization is not required for the execution of a document
38 under this chapter.

1 absentee voting act and chapter 29A.--- RCW (the new chapter created
2 in section 122 of this act).

3 **Sec. 203.** RCW 29A.04.109 and 2009 c 369 s 2 are each amended to
4 read as follows:

5 "Overseas voter" means any elector of the state of Washington
6 outside the territorial limits of the United States or as defined in
7 section 102 of this act.

8 **Sec. 204.** RCW 29A.04.151 and 2003 c 111 s 126 are each amended
9 to read as follows:

10 "Residence" for the purpose of registering and voting means a
11 person's permanent address where he or she physically resides and
12 maintains his or her abode. However(~~(, r n e)~~):

13 (1) No person (~~(gains residence by reason of his or her presence~~
14 ~~or)~~) loses (~~(his or her)~~) residence by reason of (~~(his or her)~~)
15 absence:

16 ~~((+1))~~ (a) While employed in the civil or military service of
17 the state or of the United States;

18 ~~((+2))~~ (b) While engaged in the navigation of the waters of this
19 state or the United States or the high seas; or

20 ~~((+3))~~ (c) While a student at any institution of learning(~~(+~~
21 ~~(4) While confined)~~).

22 (2) No person gains residence while serving a sentence in total
23 confinement in any public prison.

24 Absence from the state on business shall not affect the question
25 of residence of any person unless the right to vote has been claimed
26 or exercised elsewhere.

27 **Sec. 205.** RCW 29A.04.163 and 2009 c 369 s 3 are each amended to
28 read as follows:

29 "Service voter" means (~~(any)~~):

30 (1) Any elector of the state of Washington who is a member of the
31 armed forces under 42 U.S.C. Sec. 1973 ff-6 while in active service,
32 is a member of a reserve component of the armed forces, is a student
33 or member of the faculty at a United States military academy, is a
34 member of the merchant marine of the United States, or is a member of
35 a religious group or welfare agency officially attached to and
36 serving with the armed forces of the United States; or

1 (2) A uniformed-service voter as defined in section 102 of this
2 act.

3 **Sec. 206.** RCW 29A.04.210 and 2009 c 369 s 4 are each amended to
4 read as follows:

5 (~~Except for service and overseas voters, only persons~~) Persons
6 registered to vote shall be permitted to vote:

7 (1) At any election held for the purpose of electing persons to
8 public office;

9 (2) At any recall election of a public officer;

10 (3) At any election held for the submission of a measure to any
11 voting constituency;

12 (4) At any primary election.

13 This section does not apply to elections where being registered
14 to vote is not a prerequisite to voting.

15 **Sec. 207.** RCW 29A.08.107 and 2009 c 369 s 9 are each amended to
16 read as follows:

17 (1) If the driver's license number, state identification card
18 number, or last four digits of the social security number provided by
19 the applicant match the information maintained by the Washington
20 department of licensing or the social security administration, and
21 the applicant provided all information required by RCW 29A.08.010,
22 the applicant must be registered to vote.

23 (2) If the driver's license number, state identification card
24 number, or last four digits of the social security number provided by
25 the applicant do not match the information maintained by the
26 Washington department of licensing or the social security
27 administration, or if the applicant does not provide a Washington
28 driver's license, a Washington state identification card, or a social
29 security number, the applicant must be provisionally registered to
30 vote. An identification notice must be sent to the voter to obtain
31 the correct driver's license number, state identification card
32 number, last four digits of the social security number, or one of the
33 following forms of alternate identification:

34 (a) Valid photo identification;

35 (b) A valid enrollment card of a federally recognized Indian
36 tribe in Washington state;

37 (c) A copy of a current utility bill;

38 (d) A current bank statement;

- 1 (e) A copy of a current government check;
2 (f) A copy of a current paycheck; (~~or~~)
3 (g) A government document, other than a voter registration card,
4 that shows both the name and address of the voter; or
5 (h) Proof of eligibility under the federal uniformed and overseas
6 citizens absentee voting act.

7 (3) The ballot of a provisionally registered voter may not be
8 counted until the voter provides a driver's license number, a state
9 identification card number, or the last four digits of a social
10 security number that matches the information maintained by the
11 Washington department of licensing or the social security
12 administration, or until the voter provides alternate identification.
13 The identification must be provided no later than the day before
14 certification of the primary or election. If the voter provides one
15 of the forms of identification in subsection (2) of this section, the
16 voter's registration status must be changed from provisionally
17 registered to active registered voter status.

18 (4) A provisional registration must remain on the official list
19 of registered voters through at least two general elections for
20 federal office. If, after two general elections for federal office,
21 the voter still has not verified his or her identity, the provisional
22 registration may be canceled.

23 (5) The requirements of this section do not apply to (~~an~~
24 ~~overseas or service voter who registers to vote by signing the return~~
25 ~~envelope of an absentee ballot, or to~~) a registered voter
26 (~~transferring his or her~~) updating information on their voter
27 registration record.

28 **Sec. 208.** RCW 29A.40.050 and 2011 c 10 s 37 are each amended to
29 read as follows:

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

36 (b) A special absentee ballot may not be requested more than
37 (~~ninety~~) 90 days before the applicable state primary or general
38 election. The special absentee ballot will list the offices and
39 measures, if known, scheduled to appear on the state primary or

1 general election ballot. The voter may use the special absentee
2 ballot to write in the name of any eligible candidate for each office
3 and vote on any measure.

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

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

14 (4) A voter who requests a special absentee ballot under this
15 section may also request a regular ballot. If the regular absentee
16 ballot is properly voted and returned, the special absentee ballot is
17 void, and the county auditor shall reject it in whole when special
18 absentee ballots are canvassed.

19 **Sec. 209.** RCW 29A.40.070 and 2013 c 11 s 48 are each amended to
20 read as follows:

21 (1) Except where a recount or litigation is pending, the county
22 auditor must mail ballots to each voter at least eighteen days before
23 each primary or election, and as soon as possible for all subsequent
24 registration changes.

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

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

37 ~~((4))~~ (3) Each county auditor shall certify to the office of
38 the secretary of state the dates the ballots were mailed, or the

1 reason and date the ballots will be mailed if the ballots were not
2 mailed timely.

3 ~~((5))~~ (4) Failure to mail ballots as prescribed in this section
4 does not by itself provide a basis for an election contest or other
5 legal challenge to the results of a primary, general election, or
6 special election.

7 **Sec. 210.** RCW 29A.40.091 and 2024 c 269 s 7 are each amended to
8 read as follows:

9 (1) The county auditor shall send each voter a ballot, a security
10 envelope in which to conceal the ballot after voting, a larger
11 envelope in which to return the security envelope, a declaration that
12 the voter must sign, and instructions on how to obtain information
13 about the election, how to mark the ballot, and how to return the
14 ballot to the county auditor. The calendar date of the election must
15 be prominently displayed in bold type, twenty-point font or larger,
16 on the envelope sent to the voter containing the ballot and other
17 materials listed in this subsection.

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

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

38 ~~(4))~~ The voter must be instructed to either return the ballot to
39 the county auditor no later than 8:00 p.m. the day of the election or

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

8 ~~(5))~~ (4) The county auditor's name may not appear on the
9 security envelope, the return envelope, or on any voting instructions
10 or materials included with the ballot if he or she is a candidate for
11 office during the same year.

12 ~~((6))~~ (5) For purposes of this section, "prepaid postage" means
13 any method of return postage paid by the county or state.

14 **Sec. 211.** RCW 29A.40.110 and 2024 c 269 s 8 and 2024 c 138 s 2
15 are each reenacted and amended to read as follows:

16 (1) The opening and subsequent processing of return envelopes for
17 any primary or election may begin upon receipt. The tabulation of
18 absentee ballots must not commence until after 8:00 p.m. on the day
19 of the primary or election.

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

27 (3) The canvassing board, or its designated representatives,
28 shall examine the postmark on the return envelope and signature on
29 the declaration before processing the ballot. The ballot must either
30 be received no later than 8:00 p.m. on the day of the primary or
31 election, or must be postmarked no later than the day of the primary
32 or election.

33 (4) All personnel assigned to verify signatures must receive
34 training on statewide standards for signature verification. The
35 county auditor shall publish on its website the names of all
36 canvassing board members who received training on statewide standards
37 for signature verification and the dates on which the training was
38 completed.

1 (5) Personnel shall verify that the voter's signature on the
2 ballot declaration is the same as the signature of that voter in the
3 registration files of the county. Verification may be conducted by an
4 automated verification system approved by the secretary of state. A
5 variation between the signature of the voter on the ballot
6 declaration and the signature of that voter in the registration files
7 due to the substitution of initials or the use of common nicknames is
8 permitted so long as the surname and handwriting are clearly the
9 same.

10 (6) A county that is participating in the alternative
11 verification options pilot project under RCW 29A.40.111 may also
12 verify a voter's ballot using an alternative verification method
13 approved by the office of the secretary of state.

14 ~~((4))~~ (7) If the postmark is missing or illegible, the date on
15 the ballot declaration to which the voter has attested determines the
16 validity, as to the time of voting, for that ballot. For overseas
17 voters and service voters, the date on the declaration to which the
18 voter has attested determines the validity, as to the time of voting,
19 for that ballot. ~~((Any overseas voter or service voter may return the
20 signed declaration and voted ballot by fax or email by 8:00 p.m. on
21 the day of the primary or election, and the county auditor must use
22 established procedures to maintain the secrecy of the ballot.))~~

23 **Sec. 212.** RCW 29A.40.110 and 2024 c 269 s 8 are each amended to
24 read as follows:

25 (1) The opening and subsequent processing of return envelopes for
26 any primary or election may begin upon receipt. The tabulation of
27 absentee ballots must not commence until after 8:00 p.m. on the day
28 of the primary or election.

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

36 (3) The canvassing board, or its designated representatives,
37 shall examine the postmark on the return envelope and signature on
38 the declaration before processing the ballot. The ballot must either
39 be received no later than 8:00 p.m. on the day of the primary or

1 election, or must be postmarked no later than the day of the primary
2 or election.

3 (4) All personnel assigned to verify signatures must receive
4 training on statewide standards for signature verification. The
5 county auditor shall publish on its website the names of all
6 canvassing board members who received training on statewide standards
7 for signature verification and the dates on which the training was
8 completed.

9 (5) Personnel shall verify that the voter's signature on the
10 ballot declaration is the same as the signature of that voter in the
11 registration files of the county. Verification may be conducted by an
12 automated verification system approved by the secretary of state. A
13 variation between the signature of the voter on the ballot
14 declaration and the signature of that voter in the registration files
15 due to the substitution of initials or the use of common nicknames is
16 permitted so long as the surname and handwriting are clearly the
17 same.

18 ~~((4))~~ (6) If the postmark is missing or illegible, the date on
19 the ballot declaration to which the voter has attested determines the
20 validity, as to the time of voting, for that ballot. For overseas
21 voters and service voters, the date on the declaration to which the
22 voter has attested determines the validity, as to the time of voting,
23 for that ballot. ~~((Any overseas voter or service voter may return the
24 signed declaration and voted ballot by fax or email by 8:00 p.m. on
25 the day of the primary or election, and the county auditor must use
26 established procedures to maintain the secrecy of the ballot.))~~

27 NEW SECTION. **Sec. 213.** Section 211 of this act expires January
28 1, 2029.

29 NEW SECTION. **Sec. 214.** Section 212 of this act takes effect
30 January 1, 2029.

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