Multiple Agency Fiscal Note Summary

Bill Number: 5890 S SB Title: Ballot rejection

Estimated Cash Receipts

NONE

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Office of the Secretary of State	.5	124,782	124,782	124,782	.0	0	0	0	.0	0	0	0
University of Washington	.0	9,694	9,694	9,694	.0	9,694	9,694	9,694	.0	0	0	0
Total \$	0.5	134,476	134,476	134,476	0.0	9,694	9,694	9,694	0.0	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2023-25				2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total	
Office of the Secretary of	.0	0	0	.0	0	0	.0	0	0	
State										
University of Washington	.0	0	0	.0	0	0	.0	0	0	
			1					1		
Total \$	0.0	0	0	0.0	0	0	0.0	0	0	

Agency Name	2023-25				2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total	
Local Gov. Courts										
Loc School dist-SPI										
Local Gov. Other	Non-z	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total										

Estimated Capital Budget Breakout

Prepared by: Cheri Keller, OFM	Phone:	Date Published:
	(360) 584-2207	Final 1/24/2024

Individual State Agency Fiscal Note

Bill Number: 5890 S SB	Title: Ballot	t rejection			Agency: 085	-Office of t	he Secretary o
					Stat	:e	
Part I: Estimates							
No Fiscal Impact							
Estimated Cash Receipts to:							
NONE							
Estimated Operating Expenditur	es from:						
Sometime of the state of the st		2024	FY 2025	2023-25	2025	5-27	2027-29
FTE Staff Years		0.0	1.0	().5	0.0	0.0
Account							
General Fund-State 001-1		0	124,782	124,7		0	0
	Total \$	0	124,782	124,7	82	0	0
NONE							
The cash receipts and expenditure eand alternate ranges (if appropriate Check applicable boxes and follow X If fiscal impact is greater that form Parts I-V. If fiscal impact is less than \$ Capital budget impact, comp	e), are explained in the corresponding in \$50,000 per fiscal y	Part II. instructions: al year in the	current biennium	or in subseque	ent biennia, cor	nplete entir	re fiscal note
Requires new rule making, c	omplete Part V.						
Legislative Contact: Greg Vo	gel			Phone: 360-780	5-7413 I	Date: 01/17	7/2024
Agency Preparation: Bonnie I	Luntzel			Phone: 360-570)-5575 I	Date: 01/19	9/2024
Agency Approval: Mike Wo	oods			Phone: (360) 7	04-5215 I	Date: 01/19	9/2024
OFM Review: Cheri Ke	eller			Phone: (360) 5	84-2207 I	Date: 01/22	2/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Changes in SSB 5890 compared to previous version (SB 5890)

- Sec. 1. Requires the auditor to notify the voter by telephone, using the voter registration record information, if the ballot is received within five business days, rather than 3, of the final meeting of the canvassing board.
- Sec. 2 Replaces "election results" with "general, primary, and presidential primary election results"
- Sec. 5 Replaces "all languages required of state agencies" with "produced in English, Spanish, and any other language, required by the federal voting rights act"
- Sec. 8 (5) Replaces "libraries, other community locations throughout the county, and on the county's website" with "in accordance with chapter 42.30 RCW"

Summary of SSB 5890

Sec. 3 would add a new section to chapter 29A.60 RCW.

- Sec. 3 (1) (a) would require the secretary of state to adopt and review statewide signature verification standards to confirm the ballot declaration signatures match the signature on the voter registration record,
- Sec. 3 (1) (b) would require the secretary of state to adopt, publish, and regularly update a training manual.
- Sec. 3 (1) (c) would require the secretary of state to design and implement tools to ensure compliance with voter signature verification standards.
- Sec. 4 would add a new section to chapter 29A.60 RCW and require the secretary of state to design forms for voters to complete incomplete ballot declarations in the various languages required of state agencies. The form has specific requirements and county auditors will publish these forms on the county auditor's website and in the county auditor's office.
- Sec. 9 (13) and 10 (12) would encourage the secretary of state to design voter registration forms with multiple signature blocks.
- Sec. 11 would add a new section to chapter 29A.60 RCW and require the establishment of a work group, chaired by the secretary of state, or the secretary's designee, to approve a uniform ballot envelope design for use beginning in the 2026 primary.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

None.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Section 3

OSOS adopts, publishes and reviews statewide signature verification standards, training and materials as part of our current processes. No fiscal impact.

Section 4

OSOS would require 1 FTE (196G, 48L - Graphic Designer Senior) for a one-year project (FY2025), to assist the Office in the design of the ballot curing forms for voters to use in completing incomplete ballot declarations, in the various languages required of state agencies. In this connection, the OSOS estimates that it will cost \$125,000 for the FTE and related costs.

Section 11

OSOS expects the work group to convene in January of 2025 and assumes the meetings would occur remotely and in the course of the participants' official duties. No fiscal impact.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	124,782	124,782	0	0
		Total \$	0	124,782	124,782	0	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		1.0	0.5		
A-Salaries and Wages		64,092	64,092		
B-Employee Benefits		26,284	26,284		
C-Professional Service Contracts					
E-Goods and Other Services		5,850	5,850		
G-Travel		2,500	2,500		
J-Capital Outlays		12,500	12,500		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		13,556	13,556		
9-					
Total \$	0	124,782	124,782	0	0

III. C - Operating FTE Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Graphic Designer Senior 196G	64,092		1.0	0.5		
Total FTEs			1.0	0.5		0.0

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

NONE

None.

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 5890 S SB	Title: Ballot rejection		Agen	cy: 360-Universit	y of Washington
Part I: Estimates			•		
No Fiscal Impact					
Estimated Cash Dessints to					
Estimated Cash Receipts to:					
NONE					
Estimated Operating Expenditu	ires from:				
	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.0	0.0	0.0	0.0
Account	1	0.004	0.004	0.004	
General Fund-State 001-	1 0 Total \$ 0	9,694 9,694	9,694 9,694	9,694 9,694	0
and alternate ranges (if appropriate Check applicable boxes and for If fiscal impact is greater the form Parts I-V.	e estimates on this page represent thate), are explained in Part II. Ilow corresponding instructions: Ilom \$50,000 per fiscal year in the \$50,000 per fiscal year in the cu	current biennium o	or in subsequent bie	nnia, complete ent	ire fiscal note
Capital budget impact, con Requires new rule making.	-				
Legislative Contact: Greg V	/ogel	Pl	none: 360-786-7413	B Date: 01/2	17/2024
Agency Preparation: Michael	el Lantz	Pl	none: 2065437466	Date: 01/	18/2024
Agency Approval: Jed Bra	adley	Pl	none: 2066164684	Date: 01/	18/2024
OFM Review: Ramor	a Nabors	Pl	none: (360) 742-894	48 Date: 01/2	22/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Substitute Senate Bill 5890 relates to efforts to reduce election ballot rejection rates. While the bill has been amended, the provisions affecting the University of Washington (UW) have not changed.

Section 11 is relevant to the UW and requires the establishment of a workgroup to approve a uniform ballot envelopment design to be used by all counties starting with the 2026 primary election. The work group will be chaired by the Secretary of State's Office but is required to include a representative from the UW's Evans School of Public Policy and Governance. This provision sunsets on January 1, 2027.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The UW generally assumes participation by a faculty or staff member in a work group will require .03 of an FTE per year. This estimate includes time for a monthly one-hour meeting as well as time for preparation or travel. The work group is scheduled to sunset on January 1, 2027. However, it is expected that the work group will complete most of its work before then and therefore any costs to the University in FY27 can be absorbed using existing resources.

Overall, the impact to the UW from this measure is under \$50,000.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	9,694	9,694	9,694	0
		Total \$	0	9,694	9,694	9,694	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.0	0.0	0.0	
A-Salaries and Wages		7,907	7,907	7,907	
B-Employee Benefits		1,787	1,787	1,787	
C-Professional Service Contracts					
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	0	9,694	9,694	9,694	0

III. C - Operating FTE Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Professor	263,578		0.0	0.0	0.0	
Total FTEs			0.0	0.0	0.0	0.0

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Num	ber: 5890	S SB	Title:	Ballot rejection	n			
Part I:	Jurisdict	t ion- Location	on, type or	status of poli	tical subdivision defines range of fiscal impacts.			
Legisla Cities	tion Impac	ets:						
X Count		ch materials int			costs for ballot curing, minimal costs for translating voter education and expenditure impacts when implementing voter education and outreach			
Specia	al Districts:							
Specia	ic jurisdiction	ns only:						
X Varian	ice occurs du	e to: How co	unties imple	ment voter outre	ach and education campaigns.			
Part I	I: Estima	tes						
No fi	scal impacts.							
Expe	nditures repre	esent one-time	costs:					
X Legis	gislation provides local option: County auditors would have the option to contact voters to obtain updated signatures after every general, primary and presidential primary election.							
X Key v	variables canr	not be estimated	l with certai	nty at this time:	Translating voter education materials, voter outreach and education camapaign costs (which will vary by county) and cost savings due to reforming ballot curing procedures.			
Estimate	d revenue in	ipacts to:						
None								
Estimate	d expenditui	re impacts to:						
	Non-zero but indeterminate cost and/or savings. Please see discussion.							

Part III: Preparation and Approval

Fiscal Note Analyst: Kate Fernald	Phone: 564-200-3519	Date: 01/24/2024
Leg. Committee Contact: Greg Vogel	Phone: 360-786-7413	Date: 01/17/2024
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 01/24/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/24/2024

Page 1 of 5 Bill Number: 5890 S SB

FNS060 Local Government Fiscal Note

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The substitute version of the bill:

- -- Encourages county auditors to contact voters to obtain updated signatures after every general, primary, and presidential primary election, as opposed to every election.
- -- Requires community outreach materials concerning signature verification requirements to be produced in English, Spanish, and any other language required by the federal Voting Rights Act, as opposed to the languages required of state agencies.
- -- Specifies that canvassing board meeting time and location notices be published in accordance with the Open Public Meetings Act.
- -- Requires county auditors to notify a voter by phone, text, or email, regarding the cure of a rejected ballot, if the ballot is received within five business days, rather than three business days, of the final canvassing meeting.

SUMMARY OF CURRENT BILL:

The proposed legislation would update processes with the goal of reducing ballot rejection rates through updates to ballot curing, canvassing, reporting, and outreach processes.

Sec. 1 would amend RCW 29A.60.165.

Sec. 1 (1-2) would require county auditors to notify a voter by phone, text, or email, regarding the cure of a rejected ballot, if the ballot is received within five business days, rather than three business days, of the final canvassing meeting.

Sec. 1 (3) would require auditors to leave a voice mail message when the auditor calls a voter who neglected to sign the ballot declaration or whose signature on the ballot declaration does not match the signature in the registration file and the voter does not answer, but voice mail is available.

Sec. 1 (4) Any auditor who provides electronic means for submission of a ballot declaration signature would be required to establish appropriate protocols that ensure that the information transmitted is received directly and securely by the auditor and is only used for the stated purposes of verifying the signature on the voter's ballot.

Sec. 2 would add a new section to chapter 29A.08 RCW. After certification of general, primary, and presidential primary election results, county auditors would be encouraged to contact each registered voter to obtain an updated signature for the voter's registration file, rather than after every election as the original bill proposed.

Sec. 4 would add a new section to chapter 29A.60 RCW to specify that the Secretary of State shall design voter forms, and the county auditors must provide them on their websites and in their offices.

Sec. 5 would add a new section to chapter 29A.60 RCW requiring each county auditor to develop an outreach plan to educate voters on ballot signatures and ballot processing. Materials must be produced in English, Spanish, and any other language required by the federal Voting Rights Act, rather than the languages required of state agencies per the original version of the bill.

Sec. 6 would amend RCW 29A.40.091 to add one requirement to the declaration requirements (that signature declarations will be compared to the signature on file).

Sec. 7 would amend RCW 29A.40.110 to require each county auditor to publish on its website the names of all canvassing board members who received training on statewide standards for signature verification, and the date each person completed the training.

Sec. 8 would amend RCW 29A.60.140 to require County Canvassing Board Meetings to be published notices be

Page 2 of 5 Bill Number: 5890 S SB

published in accordance with the Open Public Meetings Act, as opposed to the county's website, in libraries and in other community locations, as specified by the first version of the bill. The substitute bill would still require meetings to be conducted at times and locations accessible to the public.

Sec. 11 would add a new section to chapter 29A.60 RCW that would require counties to use uniform ballots designed by the uniform ballot workgroup by the 2026 primary election.

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

CHANGES IN EXPENDITURE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The substitute of this bill does not change the indeterminate expenditure impacts to local governments; however, additional information has become available and is included below.

EXPENDITURE IMPACTS OF CURRENT BILL:

County election offices would incur indeterminate but likely reduced costs for ballot curing, minimal costs for translating voter education and outreach materials into Spanish, and indeterminate expenditure impacts when implementing voter education and outreach campaigns. Because the bill would allow counties to choose how they implement their voter education and outreach campaigns, campaign implementation costs would vary by county and cannot be determined in advance.

BALLOT CURING:

If a voter neglects to sign a ballot declaration or the voter's signature does not match the signature on their registration file, there is a process in place to help voters correct their ballots, and that process is called ballot curing. Washington's current ballot curing process requires county auditors to notify the voter by first-class mail and advise the voter of the correct procedures for completing the unsigned declaration or updating their signature on the voter registration file. If the ballot is received within three business days of the final meeting of the canvassing board, or the voter has been notified by first-class mail and has not responded at least three business days before the meeting, then the auditor must attempt to notify the voter by telephone.

The proposed legislation would require county auditors to contact voters by phone or email when notifying voters that their ballot is unsigned or that the signature does not match the one on file, if the voter's contact information is available. When voters' contact information is available, auditors would reduce postage costs as they would no longer have to notify relevant voters via first-class mail. Cost savings cannot be predicted in advance, so the expenditure reductions are indeterminate.

TRANSLATION REQUIREMENTS:

Sec. 5 would require each county auditor to develop an outreach plan to educate voters on ballot signatures and ballot processing. The bill stipulates that materials must be produced in English, Spanish, and any other language required by the federal Voting Rights Act.

According to the Washington Secretary of State's (SOS's) Election Division, counties with minority groups that meet the conditions outlined by Section 203 of the Voting Rights Act are required to provide voting materials in the languages of those minority groups. As of January 2024, Washington state has four counties that meet Section 203 of the Voting Rights Act's requirements: King, Yakima, Franklin and Adams, according to the SOS's website "Language Access for Voters." All four of these counties already provide voting materials in Spanish, as noted on the SOS's website. Because these four counties would not have to alter their current practices, they would not incur new costs as a result of the legislation. Therefore, they will not be included in the cost calculations for this fiscal note.*

The Voting Rights Act does not require any of Washington's remaining 35 counties to print their voting materials in any language other than English. However, the bill would require them to print their voter outreach and education materials for ballot signatures and ballot processing in Spanish. So, per the terms of the proposed legislation, 35 counties would be

Page 3 of 5 Bill Number: 5890 S SB

required to print their voter outreach and education materials in one new language: Spanish.

TRANSLATION COSTS:

County election offices could incur indeterminate but likely minimal costs for translating ballot signatures and ballot processing materials into Spanish, according to the Washington State Association of County Auditors (WSACA).

WSACA contacted a Language Outreach & Community Engagement Supervisor who noted that the translation costs will vary depending on the frequency with which voter outreach is conducted, and how the voter outreach is performed. WSACA anticipates that costs for translating materials will be negligible compared to the costs of developing the material in the first place.

VOTER EDUCATION AND OUTREACH CAMPAIGNS:

Counties would experience indeterminate and varying costs for implementing the legislation's required voter outreach and education campaigns.

The bill would require all county auditors to develop an outreach plan to educate voters on ballot signatures and ballot processing. Each county would determine its own outreach and education plan likely based on a number of variables, according to WSACA. Due to the wide variance from county to county, counties' costs to implement voter outreach and education campaigns are indeterminate.

EXAMPLE OUTREACH AND EDUCATION PLAN:

King County offers an example outreach and education plan in the King County Elections 2022 Language Access Report. King County's example plan is offered here to provide a sense of what a voter outreach and education campaign could include, but it is strictly an example of one county's ideal plan. The legislation does not list implementation requirements such as how or how often voter outreach and education should be conducted, so each county's campaign will vary.

The King County Elections 2022 Language Access Report notes that one of the most important lessons King County Elections (KCE) learned since initially providing Chinese ballot translation in 2002 is that simply translating materials is not enough. For a language access program to be successful, KCE posits that proactive and ongoing voter outreach and education is required to make voters aware of the options available to them.

King County's ideal education and outreach plan would include:

- -- Targeted Mailing: based on recent census data and working in collaboration with the county's GIS team, send targeted mailers to households and organizations in areas that have a concentration of Spanish speakers to promote awareness that materials are available in Spanish, and encourage opt-ins to indicate language preference.
- -- Digital Advertising: target click-through ads for delivery in areas with a concentration of Spanish speakers, as well as specific demographic groups most likely to be interested in receiving their materials in Spanish.
- -- Promotion in Community Media: community media is often one of the most trusted sources for information for many King County residents. A community media campaign would include advertising in print media, video channels, radio, and social media posting. It is key to utilize a wide variety of outlets and sources because different communities use different media outlets.
- -- Partnership with Community Organizations and Ambassadors: work with current partners and other organizations serving Spanish speakers to ensure broad awareness of the new resources available.
- * Please note this Voting Rights Act analysis is based on the Office of the Secretary of State's 2024 determination of covered counties, which is based upon December 8, 2021 results from the United States Census. It is possible that the number of counties impacted by these provisions could increase or decrease in future years based upon changes in Census results. These changes cannot be predicted with certainty and are indeterminate.

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C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

CHANGES IN REVENUE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The substitute version of the bill does not change local governments' revenue impact.

REVENUE IMPACTS OF CURRENT BILL:

The proposed legislation would not impact local governments' revenue.

SOURCES:

King County Elections 2022 Language Access Report Office of the Secretary of State's Election Division Office of the Secretary of State's "Language Access for Voters" Senate Bill Report SSB 5890 (2024) Washington State Association of County Auditors

Page 5 of 5 Bill Number: 5890 S SB