

Multiple Agency Fiscal Note Summary

Bill Number: 5017 SB	Title: Uniformed & overseas voting
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Estimated Cash Receipts

NONE

Agency Name	2025-27		2027-29		2029-31	
	GF- State	Total	GF- State	Total	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 Operating Expenditures

Agency Name	2025-27				2027-29				2029-31			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Office of the Secretary of State	.0	50,000	50,000	50,000	.0	50,000	50,000	50,000	.0	50,000	50,000	50,000
Total \$	0.0	50,000	50,000	50,000	0.0	50,000	50,000	50,000	0.0	50,000	50,000	50,000

Agency Name	2025-27			2027-29			2029-31		
	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	2025-27			2027-29			2029-31		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of the Secretary of State	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2025-27			2027-29			2029-31		
	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 Breakout

Prepared by: Marie Davis, OFM	Phone: (360) 890-1163	Date Published: Final 1/15/2025
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Individual State Agency Fiscal Note

Bill Number: 5017 SB	Title: Uniformed & overseas voting	Agency: 085-Office of the Secretary of State
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
Account					
General Fund-State 001-1	25,000	25,000	50,000	50,000	50,000
Total \$	25,000	25,000	50,000	50,000	50,000

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☒ Requires new rule making, complete Part V.

Legislative Contact: William Bridges	Phone: 360-786-7367	Date: 01/07/2025
Agency Preparation: Bonnie Luntzel	Phone: 360-570-5575	Date: 01/14/2025
Agency Approval: Tim Gallivan	Phone: (360) 763-2044	Date: 01/14/2025
OFM Review: Marie Davis	Phone: (360) 890-1163	Date: 01/15/2025

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.

Section 108 amends provisions concerning the timeliness and scope of applications for military-overseas ballots.

Section 113, pertaining to the confirmation of receipt of applications and voted ballots, mandates that the Office of the Secretary of State (OSOS), in coordination with county auditors, implement an electronic free-access system.

Section 114, regarding the use of voters’ electronic mail addresses, directs county auditors to request an email address from each covered voter upon registration. The provided email addresses are to be used exclusively for official communication related to the voting process and are exempt from public disclosure.

Section 115 requires the Secretary of State to explore options for an electronic ballot portal, establish reasonable rules for its examination and testing, develop and test electronic methods of ballot return, and report annually on each county’s portal usage.

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 108, Section 113, and Section 114 - Enhancements to the VoteWA system will be necessary to accommodate the electronic notifications and functionalities required by these sections. While the development efforts are expected to be minor (estimated to be less than \$5,000), they will necessitate thorough testing and review to ensure the system remains safe, secure, and accessible.

Section 115 - The exploration and potential implementation of an electronic ballot portal will involve feasibility studies, development, testing, and the establishment of examination and testing protocols. Additionally, annual reporting on county usage will require ongoing data collection and analysis. These activities are expected to result in increased expenditures, including annual licensing costs, thereby elevating the state’s share of election cost reimbursements.

The OSOS estimates that implementing the requirements of this section would require ongoing funds of approximately \$25,000 per fiscal year. This estimate was based on feedback provided by an existing vendor experienced in electronic ballot portal solutions, with whom OSOS has previously worked on similar projects.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2026	FY 2027	2025-27	2027-29	2029-31
001-1	General Fund	State	25,000	25,000	50,000	50,000	50,000
Total \$			25,000	25,000	50,000	50,000	50,000

III. B - Expenditures by Object Or Purpose

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts	25,000	25,000	50,000	50,000	50,000
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 \$	25,000	25,000	50,000	50,000	50,000

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

NONE

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.

New Section 102: Provides additional definitions Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voters that we will need to amend in WAC.

OSOS assumes this will not have a fiscal impact.

New Section 104:

(2): Requires OSOS to put online information for UOCAVA voters or delegate it to counties. The required information, or delegation, would need to be defined in WAC.

(4): Requires the Office of the Secretary of State (OSOS) to standardize ballot packets for UOCAVA voters. The standard envelope would be adopted in WAC.

OSOS assumes this will not have a fiscal impact.

New Section 114: The addition of using email to verify the voter's mailing address and physical location is new. The standard process for verifying the voter's mailing address and physical location would be set in WAC. The voter registration form and the online voter registration system will need to be updated to include the language that the email address is exempt from public disclosure and what it will be used for. The registration form is adopted in WAC.

OSOS assumes the costs to implement this are nominal and will be absorbed using existing resources.

New Section 115: Creates an electronic portal. WACs would be necessary for the review, approval, and appropriate use of the electronic portal.

OSOS assumes the fiscal impact is estimated to be \$25,000 to implement this section of the bill.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 5017 SB

Title: Uniformed & overseas voting

Part I: Jurisdiction—Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

☒ Cities: indeterminate but likely minimal if election costs increase

☒ Counties: Same as above.

☒ Special Districts: Same as above.

☐ Specific jurisdictions only:

☐ Variance occurs due to:

Part II: Estimates

☐ No fiscal impacts.

☐ Expenditures represent one-time costs:

☐ Legislation provides local option:

☒ Key variables cannot be estimated with certainty at this time: How much more time may be required of election staff to comply with the bill's new deadline.

Estimated revenue impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated expenditure 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: 01/14/2025
Leg. Committee Contact: William Bridges	Phone: 360-786-7367	Date: 01/07/2025
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 01/14/2025
OFM Review: Marie Davis	Phone: (360) 890-1163	Date: 01/15/2025

Part IV: Analysis

A. SUMMARY OF BILL

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

SB 5017 would adopt the Uniform Military and Overseas Voters Act (UMOVA). The Act would extend protections found in federal law to military and overseas voters and bring greater uniformity to the military and overseas voting processes in state law.

Sec. 103 would add a new section establishing that the voting procedures in this chapter apply to:

- (a) a general, special, presidential primary, or election for federal office;
- (b) a general, special, recall, or primary election for statewide or state legislative office or state ballot measure; and
- (c) a general, special, recall, or primary election for local government office or local ballot measure.

Sec. 105 would add a new section about overseas voters' registration address. An eligible voter in Washington state shall use and must be assigned to the voting precinct associated with the address of the last place of residence of the voter in Washington. Eligible overseas voters born outside the United States who satisfy voter eligibility requirements described in Sec. 102 (1) (e) of this act shall use and must be assigned to the voting precinct associated with the voter's parent's, legal guardian's or family member's address of the last place of residence in Washington.

Sec. 106 would add a new section regarding methods of registering to vote.

Sec. 106 (1) would allow a covered voter to use a federal postcard application, or the application's electronic equivalent, in addition to any other approved method when applying to register to vote.

Sec. 6 (2) would establish that a covered voter may use the declaration accompanying a federal write-in absentee ballot to apply to register to vote simultaneously with the submission of the federal write-in absentee ballot, if the declaration is received by 8:00 p.m. election day. If the declaration is received after that date and time, it must be treated as an application to register to vote for subsequent elections.

Sec. 107 would add a new section that outlines the methods of applying for a military overseas ballot.

Sec. 107 (1) A registered Washington state voter may apply for a military-overseas ballot by using either the regular Washington state voting system, or by using the federal postcard application or the application's electronic equivalent.

Sec. 107 (2) would establish that A covered voter who is not registered to vote in Washington state may use a federal postcard application or the application's electronic equivalent to apply simultaneously to register to vote under section 105 of this act and for a military-overseas ballot.

Sec. 107 (4) would allow a covered voter to use the declaration accompanying a federal write-in absentee ballot as an application for a ballot simultaneously with the submission of the federal write-in absentee ballot, if the declaration is received by the appropriate election official by one day prior to that election.

Sec. 107 (5) would stipulate that in order to receive the benefits of this chapter, a covered voter must inform the appropriate election official that the voter is a covered voter. Subsection (5) also outlines the methods of informing the appropriate election official that a voter is a covered voter.

Sec. 107 (6) would clarify that this chapter would not preclude a covered voter from voting under standard vote-by-mail law.

Sec. 108 would add a new section that details the timeliness and scope of application for military-overseas ballots. Specifically, an application for Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) ballot is timely if received by election day. Whether or not an application for a UOCAVA ballot is timely, the application for a primary

election would be effective for the general election. Auditors would be required to send the mail ballot not later than two business days after the application arrives. If a voter registration application is received within 20 days prior to an election and the covered voter has provided an email address, a notification should be immediately provided on how to obtain a ballot by email or online in the event that the voter does not receive it by election day.

Sec. 109 would add a new section about transmission of unvoted ballots.

Sec. 109 (1) would require county auditors to mail UOCAVA ballots to each service and overseas voter at least 30 days before each special election, and at least 45 days before each primary or general election, presidential primary, or any special election that involves a federal office. A request for a ballot made by an overseas or service voter after that day must be processed immediately.

Sec. 109 (2) would allow covered voters to request that their ballots and balloting materials for each election be sent to them by electronic transmission instead of by mail.

Sec. 109 (3) would require auditors to transmit ballots to covered voters not later than two business days after the ballot application from a covered voter arrives.

Sec. 109 (4) would clarify that failure to mail ballots as prescribed in this section would not by itself provide a basis for an election contest or other legal challenge to election results.

Sec. 110 would add a new section requiring a voted UOCAVA ballot to be received by the appropriate county auditor not later than the day before the county certifies the election results for that election to be valid, and the voter must have submitted the ballot for mailing, or other authorized means of delivery, not later than 8:00 p.m. on the date of the election.

Sec. 111 would add a new section that would allow covered voters to use a federal write-in absentee ballot to vote for all offices and ballot measures described in RCW 29A.04.210.

Sec. 112 would add a new section to clarify that a valid UOCAVA ballot must be counted if it is delivered by the end of business on the day before the election certification deadline. If the voter has signed and dated the ballot declaration under penalty of perjury that the ballot was timely submitted, then the ballot may not be rejected on the basis that it has a late postmark, an unreadable postmark, or no postmark.

Sec. 113 would add a new section requiring the Secretary of State and county auditors to implement an electronic system that would allow covered voters to determine by telephone, email or internet whether their voter applications, registrations or military-overseas ballot has been received and its current status.

Sec. 114 would add a new section requiring county auditors to request an email address from each covered voter who registers to vote.

Sec. 115 would add a new section requiring the Secretary of State to develop and test a ballot return portal for UOCAVA voters. Each county election office using the approved portal would be required to keep record of every attempt at ballot return, successful and unsuccessful, and prepare a report at the conclusion of each voting period. County auditors would be required to send their report to the Secretary of State.

Sec. 116 would add a new section detailing how UOCAVA voters may return their voted ballots, and require county auditors to establish procedures to maintain the secrecy of returned UOCAVA ballots.

Sec. 117 would require county auditors to create a list of known candidates and issues referred to in the ballot at least 100 days before a regularly scheduled election, and as soon as practicable before a special election. The county auditor shall update this list and keep an updated version of the list regularly available on the auditor's website.

Sec. 118 would prohibit nonsubstantive requirements, such as using paper of a specified size or weight, from invalidating a document submitted under this chapter.

Sec. 119 would authorize courts to grant equitable relief to ensure compliance with or enforcement of this chapter.

Sec. 122 would add a new section making sections 101 through 121 of this act a new chapter in Title 29A RCW.

Sec. 201 through 212 would revise RCWs for consistency with the federal Uniform Military and Overseas Voters Act.

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.

SB 5017 could have an indeterminate but likely minimal impact on local governments if cities, counties or special purpose districts' election costs increase due to the bill's new deadline for county auditors. While the majority of the bill would codify current practices, Sec. 108 would create a new deadline. Washington State Association of County Auditors cannot predict the costs to comply with the new deadline, but they anticipate that it would be minimal. Because local jurisdictions pay their proportionate share of election costs, local jurisdictions could experience an indeterminate but likely minimal expenditure impact if election costs increase as a result of the bill's new deadline for county auditors.

Sec. 108 would require auditors to send mail ballots not later than two business days after the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) application arrives. Because this would create a new deadline for auditors, Washington State Association of County Auditors cannot predict the costs to comply with the deadline, but they anticipate that it would be minimal.

All other changes reflect current practice but would update the Revised Code of Washington (RCW) for consistency with the federal Uniform Military and Overseas Voters Act (UMOVA). Because the changes reflect current practice, there would be no impact to county auditors' expenditures nor to local governments' election costs.

BACKGROUND INFORMATION FOR LOCAL GOVERNMENTS AND ELECTION COSTS

County auditor election departments conduct elections on behalf of special taxing districts, cities, counties, state government, and federal government. However, counties are not responsible for any costs involved in holding any election.

Any jurisdiction that participates in an election is responsible for reimbursing the county for their proportionate share of election costs. Jurisdictions reimburse counties for their proportionate share of election expenses by paying their county the jurisdiction's share of election costs.

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.

SB 5017 could result in an indeterminate but likely minimal increase to county revenue. Any increase in revenue would be directly proportionate to county auditors' increased costs to mail ballots not later than two business days after the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) application arrives.

SB 5017 could result in indeterminately increased revenue for county election offices, but that additional revenue would directly reflect the new expenditures counties incurred as a result of the increased election costs associated with meeting the bill's new deadline. Exact election costs and corresponding revenue reimbursements cannot be determined in advance, so revenue impacts are indeterminate.

BACKGROUND INFORMATION FOR ELECTION COSTS AND COUNTY REVENUE:

County auditor election departments conduct elections on behalf of special taxing districts, cities, counties, state government, and federal government. Each county bills its local jurisdictions for a prorated share of the cost of each election, then local jurisdictions reimburse counties by paying their proportionate share of the election costs.

Election cost reimbursements are received by county election offices as revenue. Therefore, county revenue received from participating jurisdictions for their proportionate share of election costs would directly reflect the county's increased expenditures spent on additional election costs. Counties would not make a profit from running elections.