

REVENUE: No revenue impact

FISCAL: No fiscal impact

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	7 - 2 - 0
<b>Yeas:</b>	Barnhart, Berger, Dembrow, Holvey, Hoyle, Jenson, Garrett
<b>Nays:</b>	Hicks, Kennemer
<b>Exc.:</b>	0
<b>Prepared By:</b>	Erin Seiler, Administrator
<b>Meeting Dates:</b>	3/11, 6/17

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**WHAT THE MEASURE DOES:** Increases number of days after election from 10 to 14, for voter to provide sufficient evidence to disprove challenge to ballot. Requires county to send notification to elector that ballot was returned unsigned or with signature that does not match voter registration record. If verification not provided, electors' registration becomes inactive. Following 8<sup>th</sup> calendar day after date of election, county clerk may, upon request, disclose name of elector, residential address, and reason for challenge.

**ISSUES DISCUSSED:**

- Names of challenged ballots public in the same way as lists of who has and has not voted
- Subset of those who have not voted
- Process for responding to challenged ballots
- Reasons for list to be available to public
- Returned ballot as evidence of intention to vote
- Potential for misuse of information or coercion
- Ensure participation in process
- Timeline for notifying voter of challenged ballot
- Expectation of voter privacy in process
- Increase in available information
- Number of challenged ballots and resolutions
- Notification of inactive voter status
- Increase in timeline for voter to respond to challenged ballot notification
- Counties responsibility in responding to public records request

**EFFECT OF COMMITTEE AMENDMENT:** Replaces measure.

**BACKGROUND:** The county clerk, an elections official and any voter can challenge the validity of a ballot of any person at any time before the ballot is removed from its return envelope. If the county clerk determines the person who cast the challenged ballot is validly registered to vote and the vote was properly cast, the ballot will be counted. If the county clerk determines that the voter is not properly registered, a notice is mailed to the voter with a written statement that describes the nature of the challenge. If the voter fails to provide sufficient evidence to verify their registration not later than the 10<sup>th</sup> calendar day after the date of the election, the registration of the person shall be considered inactive until the person updates or verifies the registration, or the registration is canceled, or the county clerk may determine that the person is validly registered.

The county clerk shall ensure that the challenged ballot includes the number of the written statement of challenge so that the ballot may be identified in any future contest of the election. However, the county clerk must ensure that the information on the numbered written statement is treated as confidential so that, in the event of a recount of votes, it cannot be determined how any challenged person voted.

6/19/2013 10:37:00 AM

*This summary has not been adopted or officially endorsed by action of the committee.*