
SENATE BILL 5604

State of Washington 60th Legislature 2007 Regular Session

By Senators Roach, Oemig, Hatfield and Swecker; by request of Secretary of State

Read first time 01/25/2007. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to candidates for elective office; amending RCW
2 29A.20.111, 29A.20.121, 29A.20.151, 29A.20.171, 29A.20.181, 29A.20.191,
3 29A.20.201, 29A.24.031, 29A.24.070, 29A.24.091, 29A.24.131, 29A.24.320,
4 29A.28.041, 29A.32.031, 29A.36.121, 29A.36.191, 29A.40.061, 29A.52.321,
5 29A.56.320, 29A.80.051, and 35.02.086; adding new sections to chapter
6 29A.24 RCW; recodifying RCW 29A.28.011 and 29A.28.021; and repealing
7 RCW 29A.20.131, 29A.20.141, and 29A.20.161.

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

9 **Sec. 1.** RCW 29A.20.111 and 2004 c 271 s 188 are each amended to
10 read as follows:

11 (~~A "convention" for the purposes of this chapter, is an organized~~
12 ~~assemblage of registered voters representing an independent candidate~~
13 ~~or candidates or a new or minor political party, organization, or~~
14 ~~principle.)) As used in this chapter, (~~the term~~) "~~(election)~~
15 ~~jurisdiction~~" (~~shall~~) means the state or any political subdivision or
16 jurisdiction of the state from which partisan officials are elected.
17 (~~This term shall include county commissioner districts or council~~
18 ~~districts for members of a county legislative authority,)~~
19 "Jurisdiction" includes counties for county officials (~~who are~~~~

1 ~~nominated and elected on a county wide basis)), legislative districts~~
2 ~~for members of the legislature, congressional districts for members of~~
3 ~~Congress, and the state for president and vice president, members of~~
4 ~~the United States senate, and state officials who are elected on a~~
5 ~~statewide basis.~~

6 **Sec. 2.** RCW 29A.20.121 and 2006 c 344 s 4 are each amended to read
7 as follows:

8 (1) Any nomination of a candidate for partisan public office by
9 other than a major political party may be made only(~~(a) In a~~
10 ~~convention held not earlier than the first Saturday in May and not~~
11 ~~later than the second Saturday in May or during any of the seven days~~
12 ~~immediately preceding the first day for filing declarations of~~
13 ~~candidacy as fixed in accordance with RCW 29A.28.041; (b) as provided~~
14 ~~by RCW 29A.60.021; or (c)) by nominating petition filed no later than
15 the second Monday in May, or as otherwise provided in this section.
16 Minor political party and independent candidates may appear only on the
17 general election ballot.~~

18 (2) Nominations of candidates for president and vice president of
19 the United States other than by a major political party may be made
20 (~~either at a convention conducted under subsection (1) of this~~
21 ~~section, or at a similar convention taking place not earlier than the~~
22 ~~first Saturday in June and not later than the fourth Saturday in July.~~
23 ~~Conventions held during this time period may not nominate candidates~~
24 ~~for any public office other than president and vice president of the~~
25 ~~United States, except as provided in subsection (3) of this section))
26 by nominating petition filed no later than the first Monday in August.~~

27 (3) If a special filing period for a partisan office is opened
28 under RCW 29A.24.211 or 29A.28.041, candidates of minor political
29 parties and independent candidates may file for office during that
30 special filing period. The names of those candidates may not appear on
31 the general election ballot unless they are nominated by (~~convention~~
32 ~~held)) petition filed no later than (~~five~~) seven days after the close
33 of the special filing period (~~and a certificate of nomination is filed~~
34 ~~with the filing officer no later than three days after the convention.~~
35 ~~The requirements of RCW 29A.20.131 do not apply to such a convention)).~~~~

36 (4) Nominating petitions must be filed with the appropriate filing
37 officer as provided in RCW 29A.24.070.

1 ~~(5) A minor political party may ((hold more than one convention but~~
2 ~~in no case shall any such party)) not nominate more than one candidate~~
3 ~~for any one partisan public office or position. ((For the purpose of~~
4 ~~nominating candidates for the offices of president and vice president,~~
5 ~~United States senator, United States representative, or a statewide~~
6 ~~office, a minor party or independent candidate holding multiple~~
7 ~~conventions may add together the number of signatures of different~~
8 ~~individuals from each convention obtained in support of the candidate~~
9 ~~or candidates in order to obtain the number required by RCW 29A.20.141.~~
10 ~~For all other offices for which nominations are made, signatures of the~~
11 ~~requisite number of registered voters must be obtained at a single~~
12 ~~convention.))~~

13 **Sec. 3.** RCW 29A.20.151 and 2004 c 271 s 112 are each amended to
14 read as follows:

15 A nominating petition submitted under this chapter shall ~~((clearly~~
16 ~~identify the name of the minor party or independent candidate~~
17 ~~convention as it appears on the certificate of nomination as required~~
18 ~~by RCW 29A.20.161(3). The petition shall also contain a statement that~~
19 ~~the person signing the petition is a registered voter of the state of~~
20 ~~Washington and shall have a space for the voter to sign his or her name~~
21 ~~and to print his or her name and address)) include:~~

22 (1) The name and residential address of the candidate;

23 (2) The name of the minor political party or the fact that the
24 candidate is independent if not affiliated with a political party;

25 (3) The year and office for which the candidate is nominated;

26 (4) A statement that each person signing the petition is a
27 registered voter of the state of Washington and the jurisdiction of the
28 office;

29 (5) A space for each voter to sign his or her name and print his or
30 her name and address;

31 (6)(a) Valid signatures of at least one thousand registered voters
32 of the jurisdiction of the office if the nomination is for president
33 and vice president of the United States, United States senator, or
34 statewide office;

35 (b) Valid signatures of at least five hundred registered voters of
36 the jurisdiction of the office if the nomination is for United States
37 representative; or

1 (c) Valid signatures of at least one hundred registered voters of
2 the jurisdiction of the office if the nomination is for any other
3 partisan office; and

4 (7) If the nomination is for president and vice president of the
5 United States, a sworn statement from both nominees consenting to the
6 nomination.

7 No person may sign more than one nominating petition under this
8 chapter for an office for an election.

9 **Sec. 4.** RCW 29A.20.171 and 2004 c 271 s 155 are each amended to
10 read as follows:

11 (1) If two or more (~~valid certificates of nomination~~) nominating
12 petitions are filed purporting to nominate different candidates for the
13 same position using the same party name, the filing officer must give
14 effect to both certificates. If conflicting claims to the party name
15 are not resolved either by mutual agreement or by a judicial
16 determination of the right to the name, the candidates must be treated
17 as independent candidates. Disputes over the right to the name must
18 not be permitted to delay the printing of either ballots or a voters'
19 pamphlet. Other candidates nominated by the same (~~conventions~~)
20 political party may continue to use the partisan affiliation unless a
21 court of competent jurisdiction directs otherwise.

22 (2) A person affected may petition the superior court of the county
23 in which the filing officer is located for a judicial determination of
24 the right to the name of a minor political party, either before or
25 after documents are filed with the filing officer. The court shall
26 resolve the conflict between competing claims to the use of the same
27 party name according to the following principles: (a) The prior
28 established public use of the name during previous elections by a party
29 composed of or led by the same individuals or individuals in documented
30 succession; (b) prior established public use of the name earlier in the
31 same election cycle; (c) the nomination of a more complete slate of
32 candidates for a number of offices or in a number of different regions
33 of the state; (d) documented affiliation with a national or statewide
34 party organization with an established use of the name; (e) the first
35 date of filing of a (~~certificate of nomination~~) nominating petition;
36 and (f) such other indicia of an established right to use of the name
37 as the court may deem relevant. If more than one filing officer is

1 involved, and one of them is the secretary of state, the petition must
2 be filed in the superior court for Thurston county. Upon resolving the
3 conflict between competing claims, the court may also address any
4 ballot designation for the candidate who does not prevail.

5 **Sec. 5.** RCW 29A.20.181 and 2004 c 271 s 156 are each amended to
6 read as follows:

7 ((A)) Minor political party or independent (~~candidate convention~~
8 ~~nominating~~) candidates for the offices of president and vice president
9 of the United States, or their designees, shall, not later than ten
10 days after the (~~adjournment of the convention~~) filing of nominating
11 petitions, submit a list of presidential electors to the office of the
12 secretary of state. The list shall contain the names and the mailing
13 addresses of the persons selected (~~and shall be verified by the~~
14 ~~presiding officer of the convention~~)).

15 **Sec. 6.** RCW 29A.20.191 and 2004 c 271 s 157 are each amended to
16 read as follows:

17 Upon the receipt of the (~~certificate of nomination~~) nominating
18 petitions, the officer with whom it is filed shall check the
19 (~~certificate~~) petitions and canvass the signatures (~~on the~~
20 ~~accompanying nominating petitions~~) to determine if the requirements of
21 RCW (~~29A.20.141~~) 29A.20.151 have been met. Once the determination
22 has been made, the filing officer shall notify the (~~presiding officer~~
23 ~~of the convention and any other persons requesting the notification,~~)
24 candidate of his or her decision regarding the sufficiency of the
25 (~~certificate or the~~) nominating petitions. Any appeal regarding the
26 filing officer's determination must be filed with the superior court of
27 the county in which the (~~certificate or~~) petitions were filed not
28 later than five days from the date the determination is made, and shall
29 be heard and finally disposed of by the court within five days of the
30 filing. Nominating petitions shall not be available for public
31 inspection or copying.

32 **Sec. 7.** RCW 29A.20.201 and 2004 c 271 s 113 are each amended to
33 read as follows:

34 Not later than the Friday immediately preceding the first day for
35 candidates to file, the secretary of state shall notify the county

1 auditors of the names and designations of all minor party and
2 independent candidates who have filed valid (~~convention certificates~~
3 ~~and~~) nominating petitions with that office. Except for the offices of
4 president and vice president, persons nominated under this chapter
5 shall file declarations of candidacy as provided by RCW 29A.24.031 and
6 29A.24.070. The name of a nominated candidate (~~nominated at a~~
7 ~~convention~~) shall not be printed upon the general election ballot
8 unless he or she pays the fee required by law to be paid by candidates
9 for the same office to be nominated at a primary.

10 **Sec. 8.** RCW 29A.24.031 and 2004 c 271 s 158 are each amended to
11 read as follows:

12 A candidate who desires to have his or her name printed on the
13 ballot for election to an office other than president of the United
14 States, vice president of the United States, or an office for which
15 ownership of property is a prerequisite to voting shall complete and
16 file a declaration of candidacy. The secretary of state shall adopt,
17 by rule, a declaration of candidacy form for the office of precinct
18 committee officer and a separate standard form for candidates for all
19 other offices filing under this chapter. Included on the standard form
20 shall be:

21 (1) A place for the candidate to declare that he or she is a
22 registered voter within the jurisdiction of the office for which he or
23 she is filing, and the address at which he or she is registered. In
24 the case of a candidate for the United States senate or United States
25 house of representatives, the candidate must declare that he or she
26 will be a resident of the state at the time of the election;

27 (2) A place for the candidate to indicate the position for which he
28 or she is filing;

29 (3) A place for the candidate to indicate a party designation, if
30 applicable;

31 (4) A place for the candidate to indicate the amount of the filing
32 fee accompanying the declaration of candidacy or for the candidate to
33 indicate that he or she is (~~filing a nominating~~) submitting a filing
34 fee petition in lieu of the filing fee under RCW 29A.24.091;

35 (5) A place for the candidate to sign the declaration of candidacy,
36 stating that the information provided on the form is true and swearing

1 or affirming that he or she will support the Constitution and laws of
2 the United States and the Constitution and laws of the state of
3 Washington.

4 In the case of a declaration of candidacy filed electronically,
5 submission of the form constitutes agreement that the information
6 provided with the filing is true, that he or she will support the
7 Constitutions and laws of the United States and the state of
8 Washington, and that he or she agrees to electronic payment of the
9 filing fee established in RCW 29A.24.091.

10 The secretary of state may require any other information on the
11 form he or she deems appropriate to facilitate the filing process.

12 **Sec. 9.** RCW 29A.24.070 and 2006 c 263 s 614 are each amended to
13 read as follows:

14 Declarations of candidacy shall be filed with the following filing
15 officers:

16 (1) The secretary of state for declarations of candidacy for
17 statewide offices, United States senate, and United States house of
18 representatives;

19 (2) The secretary of state for declarations of candidacy for the
20 state legislature, the court of appeals, and the superior court when
21 the candidate is seeking office in a district comprised of voters from
22 two or more counties(~~(. The secretary of state and the county auditor
23 may accept declarations of candidacy for candidates for the state
24 legislature, the court of appeals, and the superior court when the
25 candidate is seeking office in a district comprised of voters from one
26 county))~~);

27 (3) The county auditor for all other offices. For any nonpartisan
28 office, other than judicial offices and school director in joint
29 districts, where voters from a district comprising more than one county
30 vote upon the candidates, a declaration of candidacy shall be filed
31 with the county auditor of the county in which a majority of the
32 registered voters of the district reside. For school directors in
33 joint school districts, the declaration of candidacy shall be filed
34 with the county auditor of the county designated by the superintendent
35 of public instruction as the county to which the joint school district
36 is considered as belonging under RCW 28A.323.040(+

1 ~~(4) For all other purposes of this title, a declaration of~~
2 ~~candidacy for the state legislature, the court of appeals, and the~~
3 ~~superior court filed with the secretary of state shall be deemed to~~
4 ~~have been filed with the county auditor when the candidate is seeking~~
5 ~~office in a district composed of voters from one county)).~~

6 Each official with whom declarations of candidacy are filed under
7 this section, within one business day following the closing of the
8 applicable filing period, shall transmit to the public disclosure
9 commission the information required in RCW 29A.24.031 (1) through (4)
10 for each declaration of candidacy filed in his or her office during
11 such filing period or a list containing the name of each candidate who
12 files such a declaration in his or her office during such filing period
13 together with a precise identification of the position sought by each
14 such candidate and the date on which each such declaration was filed.
15 Such official, within three days following his or her receipt of any
16 letter withdrawing a person's name as a candidate, shall also forward
17 a copy of such withdrawal letter to the public disclosure commission.

18 **Sec. 10.** RCW 29A.24.091 and 2006 c 206 s 3 are each amended to
19 read as follows:

20 A filing fee of one dollar shall accompany each declaration of
21 candidacy for precinct committee officer; a filing fee of ten dollars
22 shall accompany the declaration of candidacy for any office with a
23 fixed annual salary of one thousand dollars or less; a filing fee equal
24 to one percent of the annual salary of the office at the time of filing
25 shall accompany the declaration of candidacy for any office with a
26 fixed annual salary of more than one thousand dollars per annum. No
27 filing fee need accompany a declaration of candidacy for any office for
28 which compensation is on a per diem or per meeting attended basis.

29 A candidate who lacks sufficient assets or income at the time of
30 filing to pay the filing fee required by this section shall submit with
31 his or her declaration of candidacy a filing fee petition. The
32 petition shall contain not less than a number of signatures of
33 registered voters equal to the number of dollars of the filing fee.
34 The signatures shall be of voters registered to vote within the
35 jurisdiction of the office for which the candidate is filing.

36 When the candidacy is for:

1 (1) A statewide office, the fee shall be paid to the secretary of
2 state.

3 (2) A legislative or judicial office that includes territory from
4 more than one county, the fee shall be paid to the secretary of state
5 for equal division between the treasuries of the counties comprising
6 the district.

7 ~~((2))~~ (3) A legislative or judicial office that includes
8 territory from only one county(~~(+~~

9 ~~(a))~~, the fee shall be paid to the county auditor if the candidate
10 filed his or her declaration of candidacy with the county auditor(~~(+~~

11 ~~(b)~~ ~~The fee shall be paid to the secretary of state if the~~
12 ~~candidate filed his or her declaration of candidacy with the secretary~~
13 ~~of state. The secretary of state shall then promptly transmit the fee~~
14 ~~to the county auditor of the county in which the legislative or~~
15 ~~judicial office is located)).~~

16 ~~((3))~~ (4) A city or town office, the fee shall be paid to the
17 county auditor who shall transmit it to the city or town clerk for
18 deposit in the city or town treasury.

19 **Sec. 11.** RCW 29A.24.131 and 2004 c 271 s 115 are each amended to
20 read as follows:

21 A candidate may withdraw his or her declaration of candidacy at any
22 time before the close of business on the Thursday following the last
23 day for candidates to file under RCW 29A.24.050 by filing, with the
24 officer with whom the declaration of candidacy was filed, a signed
25 request that his or her name not be printed on the ballot. There shall
26 be no withdrawal period for declarations of candidacy filed during
27 special filing periods held under this title. ~~((The filing officer may~~
28 ~~permit the withdrawal of a filing for the office of precinct committee~~
29 ~~officer at the request of the candidate at any time if no absentee~~
30 ~~ballots have been issued for that office and the ballots for that~~
31 ~~precinct have not been printed.))~~ The filing officer may permit the
32 withdrawal of a filing for any elected office of a city, town, or
33 special district at the request of the candidate at any time before a
34 primary if the primary ballots for that city, town, or special district
35 have not been ordered. No filing fee may be refunded to any candidate
36 who withdraws under this section. Notice of the deadline for

1 withdrawal of candidacy and that the filing fee is not refundable shall
2 be given to each candidate at the time he or she files.

3 NEW SECTION. **Sec. 12.** A new section is added to chapter 29A.24
4 RCW to read as follows:

5 (1) If, after the last day allowed for candidates to withdraw a
6 declaration of candidacy as provided in RCW 29A.24.131, only one
7 candidate has filed for the position of precinct committee officer for
8 a party in a precinct, no election shall be held for such position and
9 a certificate of election shall be issued immediately. The position
10 shall not appear on the primary election ballot for that party.

11 (2) If, after the last day allowed for candidates to withdraw a
12 declaration of candidacy as provided in RCW 29A.24.131, no candidate
13 has filed for the position of precinct committee officer for a party in
14 a precinct, the position shall be filled by appointment as provided in
15 RCW 29A.28.071. The position shall not appear on the primary election
16 ballot for that party.

17 **Sec. 13.** RCW 29A.24.320 and 2003 c 111 s 623 are each amended to
18 read as follows:

19 The secretary of state shall notify each county auditor of any
20 declarations filed with the secretary under RCW (~~29A.24.310~~)
21 29A.24.311 for offices appearing on the ballot in that county. The
22 county auditor shall ensure that those persons charged with counting
23 the ballots for a primary or election are notified of all valid write-
24 in candidates before the tabulation of those ballots.

25 **Sec. 14.** RCW 29A.28.041 and 2006 c 344 s 12 are each amended to
26 read as follows:

27 (1) Whenever a vacancy occurs in the United States house of
28 representatives or the United States senate from this state, the
29 governor shall order a special election to fill the vacancy. Minor
30 political party candidates and independent candidates may be nominated
31 through the (~~convention~~) petition procedures provided in chapter
32 29A.20 RCW.

33 (2) Within ten days of such vacancy occurring, he or she shall
34 issue a writ of election fixing a date for the special vacancy election
35 not less than ninety days after the issuance of the writ, fixing a date

1 for the primary for nominating major political party candidates for the
2 special vacancy election not less than thirty days before the day fixed
3 for holding the special vacancy election, fixing the dates for the
4 special filing period, and designating the term or part of the term for
5 which the vacancy exists. If the vacancy is in the office of United
6 States representative, the writ of election shall specify the
7 congressional district that is vacant.

8 (3) If the vacancy occurs less than six months before a state
9 general election and before the second Friday following the close of
10 the filing period for that general election, the special primary((~~7~~))
11 and special vacancy election((~~7~~ and minor party and independent
12 candidate nominating conventions)) must be held in concert with the
13 state primary and state general election in that year.

14 (4) If the vacancy occurs on or after the first day for filing
15 under RCW 29A.24.050 and on or before the second Friday following the
16 close of the filing period, a special filing period of three normal
17 business days shall be fixed by the governor and notice thereof given
18 to all media, including press, radio, and television within the area in
19 which the vacancy election is to be held, to the end that, insofar as
20 possible, all interested persons will be aware of such filing period.
21 The last day of the filing period shall not be later than the sixth
22 Tuesday before the primary at which major political party candidates
23 are to be nominated. The names of major political party candidates who
24 have filed valid declarations of candidacy during this three-day period
25 shall appear on the approaching primary ballot. ((The requirements of
26 RCW 29A.20.131 do not apply to a minor political party or independent
27 candidate convention held under this subsection.))

28 (5) If the vacancy occurs later than the second Friday following
29 the close of the filing period, a special primary((~~7~~)) and special
30 vacancy election((~~7~~ and the minor party and independent candidate
31 ~~conventions~~)) to fill the position shall be held after the next state
32 general election but, in any event, no later than the ninetieth day
33 following the November election.

34 **Sec. 15.** RCW 29A.32.031 and 2004 c 271 s 121 are each amended to
35 read as follows:

36 The voters' pamphlet must contain:

1 (1) Information about each ballot measure initiated by or referred
2 to the voters for their approval or rejection as required by RCW
3 29A.32.070;

4 (2) In even-numbered years, statements, if submitted, advocating
5 the candidacies of nominees for the office of president and vice
6 president of the United States, United States senator, United States
7 representative, governor, lieutenant governor, secretary of state,
8 state treasurer, state auditor, attorney general, commissioner of
9 public lands, superintendent of public instruction, insurance
10 commissioner, state senator, state representative, justice of the
11 supreme court, judge of the court of appeals, or judge of the superior
12 court. Candidates may also submit a campaign mailing address and
13 telephone number and a photograph not more than five years old and of
14 a size and quality that the secretary of state determines to be
15 suitable for reproduction in the voters' pamphlet;

16 (3) In odd-numbered years, if any office voted upon statewide
17 appears on the ballot due to a vacancy, then statements and photographs
18 for candidates for any vacant office listed in subsection (2) of this
19 section must appear;

20 (4) In even-numbered years, a section explaining how voters may
21 participate in the election campaign process; the address and telephone
22 number of the public disclosure commission established under RCW
23 42.17.350; and a summary of the disclosure requirements that apply when
24 contributions are made to candidates and political committees;

25 (5) In even-numbered years the name, address, and telephone number
26 of each political party with nominees listed in the pamphlet, if filed
27 with the secretary of state (~~by the state committee of a major
28 political party or the presiding officer of the convention of a minor
29 political party~~));

30 (6) In each odd-numbered year immediately before a year in which a
31 president of the United States is to be nominated and elected,
32 information explaining the precinct caucus and convention process used
33 by each major political party to elect delegates to its national
34 presidential candidate nominating convention. The pamphlet must also
35 provide a description of the statutory procedures by which minor
36 political parties are formed and the statutory methods used by the
37 parties to nominate candidates for president;

38 (7) An application form for an absentee ballot;

1 (8) A brief statement explaining the deletion and addition of
2 language for proposed measures under RCW 29A.32.080;

3 (9) Any additional information pertaining to elections as may be
4 required by law or in the judgment of the secretary of state is deemed
5 informative to the voters.

6 **Sec. 16.** RCW 29A.36.121 and 2004 c 271 s 129 are each amended to
7 read as follows:

8 (1)(a) The positions or offices on a primary consolidated ballot
9 shall be arranged in substantially the following order: United States
10 senator; United States representative; governor; lieutenant governor;
11 secretary of state; state treasurer; state auditor; attorney general;
12 commissioner of public lands; superintendent of public instruction;
13 insurance commissioner; state senator; state representative; county
14 officers; justices of the supreme court; judges of the court of
15 appeals; judges of the superior court; and judges of the district
16 court. For all other jurisdictions on the primary consolidated ballot,
17 the offices in each jurisdiction shall be grouped together and be in
18 the order of the position numbers assigned to those offices, if any.

19 (b)(i) The positions or offices on a primary party ballot must be
20 arranged in substantially the following order: United States senator;
21 United States representative; governor; lieutenant governor; secretary
22 of state; state treasurer; state auditor; attorney general;
23 commissioner of public lands; insurance commissioner; state senator;
24 state representative; and partisan county officers. For all other
25 jurisdictions on the primary party ballot, the offices in each
26 jurisdiction must be grouped together and be in the order of the
27 position numbers assigned to those offices, if any.

28 (ii) The positions or offices on a primary nonpartisan ballot must
29 be arranged in substantially the following order: Superintendent of
30 public instruction; justices of the supreme court; judges of the court
31 of appeals; judges of the superior court; and judges of the district
32 court. For all other jurisdictions on the primary nonpartisan ballot,
33 the offices in each jurisdiction must be grouped together and be in the
34 order of the position numbers assigned to those offices, if any.

35 (2) The order of the positions or offices on an election ballot
36 shall be substantially the same as on a primary consolidated ballot
37 except that state ballot issues must be placed before all offices. The

1 offices of president and vice president of the United States shall
2 precede all other offices on a presidential election ballot. The
3 positions on a ballot to be assigned to ballot measures regarding local
4 units of government shall be established by the secretary of state by
5 rule.

6 (3) The political party or independent candidacy of each candidate
7 for partisan office shall be indicated (~~((next to the name of the~~
8 ~~candidate))~~) on the primary and election ballot. A candidate shall file
9 a written notice with the filing officer within three business days
10 after the close of the filing period designating the political party to
11 be indicated next to the candidate's name on the ballot if either: (a)
12 The candidate has been nominated by two or more minor political
13 (~~((parties))~~) party or independent (~~((conventions))~~) candidacy petitions;
14 or (b) the candidate has both filed a declaration of candidacy
15 declaring an affiliation with a major political party and been
16 nominated by a minor political party or independent (~~((convention))~~)
17 candidacy petition. If no written notice is filed the filing officer
18 shall give effect to the party designation shown upon the first
19 document filed. A minor political party or independent candidate may
20 be deemed nominated (~~((by a minor party or independent convention))~~) only
21 if all documentation required by chapter 29A.20 RCW has been timely
22 filed.

23 **Sec. 17.** RCW 29A.36.191 and 2004 c 271 s 133 are each amended to
24 read as follows:

25 The name of a candidate for a partisan office for which a primary
26 was conducted shall not be printed on the ballot for that office at the
27 subsequent general election unless, at the preceding primary, the
28 candidate receives (~~((a number of votes equal to at least one percent of~~
29 ~~the total number of votes cast for all candidates for that office~~
30 ~~and))~~):

31 (1) A plurality of the votes cast (~~((by voters affiliated with that~~
32 ~~party))~~) for candidates for (~~((that))~~) the same office (~~((affiliated with~~
33 ~~that))~~) of the same party; and

34 (2) At least:

35 (a) One thousand votes if the nomination is for United States
36 senate or a statewide office;

1 (b) Five hundred votes if the nomination is for United States house
2 of representatives; or

3 (c) One hundred votes if the nomination is for any other partisan
4 office.

5 **Sec. 18.** RCW 29A.40.061 and 2004 c 271 s 134 are each amended to
6 read as follows:

7 (1) The county auditor shall issue an absentee ballot for the
8 primary or election for which it was requested, or for the next
9 occurring primary or election when ongoing absentee status has been
10 requested if the information contained in a request for an absentee
11 ballot or ongoing absentee status received by the county auditor is
12 complete and correct and the applicant is qualified to vote under
13 federal or state law. Otherwise, the county auditor shall notify the
14 applicant of the reason or reasons why the request cannot be accepted.
15 (~~Whenever two or more candidates have filed for the position of~~
16 ~~precinct committee officer for the same party in the same precinct, the~~
17 ~~contest for that position must be presented to absentee voters from~~
18 ~~that precinct by either including the contest on the regular absentee~~
19 ~~ballot or a separate absentee ballot. The ballot must provide space~~
20 ~~designated for writing in the name of additional candidates.))~~

21 (2) A registered voter may obtain a replacement ballot if the
22 ballot is destroyed, spoiled, lost, or not received by the voter. The
23 voter may obtain the ballot by telephone request, by mail,
24 electronically, or in person. The county auditor shall keep a record
25 of each replacement ballot provided under this subsection.

26 (3) A copy of the state voters' pamphlet must be sent to registered
27 voters temporarily outside the state, out-of-state voters, overseas
28 voters, and service voters along with the absentee ballot if such a
29 pamphlet has been prepared for the primary or election and is available
30 to the county auditor at the time of mailing. The county auditor shall
31 mail all absentee ballots and related material to voters outside the
32 territorial limits of the United States and the District of Columbia
33 under 39 U.S.C. 3406.

34 **Sec. 19.** RCW 29A.52.321 and 2004 c 271 s 146 are each amended to
35 read as follows:

36 No later than the day following the certification of the returns of

1 any primary, the secretary of state shall certify to the appropriate
2 county auditors the names of all persons nominated for offices at a
3 primary, or ~~((at))~~ by an independent candidate or minor party
4 ~~((convention))~~ petition.

5 **Sec. 20.** RCW 29A.56.320 and 2003 c 111 s 1425 are each amended to
6 read as follows:

7 In the year in which a presidential election is held, each major or
8 minor political party that nominates candidates for president and vice
9 president of the United States and each ~~((minor political party or))~~
10 independent candidate ~~((convention held under chapter 29A.20 RCW that~~
11 ~~nominates candidates))~~ nominated for president and vice president of
12 the United States shall nominate presidential electors for this state.
13 The party or ~~((convention))~~ independent candidate shall file with the
14 secretary of state a certificate ~~((signed by the presiding officer of~~
15 ~~the convention at which the presidential electors were chosen,))~~
16 listing the names and addresses of the presidential electors. Each
17 presidential elector shall execute and file with the secretary of state
18 a pledge that, as an elector, he or she will vote for the candidates
19 nominated by that party. The names of presidential electors shall not
20 appear on the ballots. The votes cast for candidates for president and
21 vice president of each political party shall be counted for the
22 candidates for presidential electors of that political party.

23 **Sec. 21.** RCW 29A.80.051 and 2004 c 271 s 149 are each amended to
24 read as follows:

25 In an even-numbered year, the statutory requirements for filing as
26 a candidate at the primaries apply to candidates for precinct committee
27 officer. If two or more candidates file for the office of precinct
28 committee officer in the same party in the same precinct, the office
29 must be voted upon at the ~~((primaries, and))~~ primary. The names of all
30 candidates must appear under the proper party and office designations
31 on the ballot ~~((for the primary for each even-numbered year)),~~ and the
32 one receiving the highest number of votes will be declared elected.
33 ~~((However, to be declared elected, a candidate must receive at least~~
34 ~~ten percent of the number of votes cast for the candidate of the~~
35 ~~candidate's party receiving the greatest number of votes in the~~

1 ~~precinct.~~) The term of office of precinct committee officer is two
2 years, commencing the first day of December following the primary.

3 **Sec. 22.** RCW 35.02.086 and 2006 c 344 s 20 are each amended to
4 read as follows:

5 Each candidate for a city or town elective position shall file a
6 declaration of candidacy with the county auditor of the county in which
7 all or the major portion of the city or town is located not more than
8 forty-five nor less than thirty days prior to the primary election at
9 which the initial elected officials are nominated(~~(, according to RCW~~
10 ~~29A.24.050)~~). The elective positions shall be as provided in law for
11 the type of city or town and form or plan of government specified in
12 the petition to incorporate, and for the population of the city or town
13 as determined by the county legislative authority or boundary review
14 board where applicable. Any candidate may withdraw his or her
15 declaration (~~(according to RCW 29A.24.131)~~) at any time within five
16 days after the last day allowed for filing declarations of candidacy.
17 All names of candidates to be voted upon shall be printed upon the
18 ballot alphabetically in groups under the designation of the respective
19 titles of offices for which they are candidates. Names of candidates
20 printed upon the ballot need not be rotated.

21 NEW SECTION. **Sec. 23.** RCW 29A.28.011 and 29A.28.021 are each
22 recodified as sections in chapter 29A.24 RCW.

23 NEW SECTION. **Sec. 24.** The following acts or parts of acts are
24 each repealed:

- 25 (1) RCW 29A.20.131 (Convention--Notice) and 2004 c 271 s 189;
26 (2) RCW 29A.20.141 (Convention--Requirements for validity) and 2004
27 c 271 s 111; and
28 (3) RCW 29A.20.161 (Certificate of nomination--Requisites) and 2004
29 c 271 s 154.

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