

FINAL BILL REPORT

SHB 1592

C 157 L 99

Synopsis as Enacted

Brief Description: Updating write-in voting laws.

Sponsors: By House Committee on State Government (Originally sponsored by Representatives D. Schmidt, Bush, Miloscia and Dunshee; by request of Secretary of State).

House Committee on State Government
Senate Committee on State & Local Government

Background:

Write-in voting is allowed in Washington. An eligible person may file a declaration of candidacy as a declared write-in candidate not later than the day before the primary or general election. Voters may cast a write-in vote for a declared write-in candidate or for a person who has not filed a declaration of candidacy as a write-in candidate.

The requirements to cast a write-in vote for a person who has not filed a declaration of candidacy as a write-in candidate are somewhat greater than to cast a write-in vote for a person who has filed a declaration of candidacy as a write-in candidate. If the person who receives write-in votes filed a declaration of candidacy as a write-in candidate, a vote cast for that person is counted if the voter writes that person's name in the appropriate place on the ballot. However, if the person who receives write-in votes has not filed a declaration of candidacy to be a write-in candidate, a vote for that person is counted only if the voter writes that person's name in the appropriate place on the ballot and also designates the office sought and position number or political party, if applicable.

Statutes conflict regarding whether a person who files a declaration of candidacy as a write-in candidate must pay the normal filling fee for the office that is sought.

Write-in votes are counted separately from votes and need not be tallied if, assuming all of the write-in votes were cast for the same person, the write-in votes could not have altered the outcome of the primary or general election.

Summary:

A variety of changes are made relating to write-in voting.

If an optical scan system of voting is used, a voter desiring to cast a write-in vote must complete the proper mark next to the write-in line for that office.

It is clarified that a person who files a declaration of candidacy as a write-in candidate must pay the regular filing fee for the office.

The number of write-in votes cast for each office must be recorded and reported with the canvas of the election.

In the case of offices where the district encompasses more than a single county, write-in votes for an individual candidate must be tallied if the Secretary of State, or another auditor in multi-county districts, notifies the county auditor that it appears the write-in votes could alter the outcome of the primary or general election.

In the case of offices where the district encompasses more than a single county, the auditor must tally the write-in votes cast for an office if the total number of write-in votes cast for that office is greater than the number of votes cast for a candidate apparently nominated or elected, and the auditor must notify the Secretary of State and other county auditors that the write-in votes should be tallied.

Votes on Final Passage:

House 96 1
Senate 43 2

Effective: July 25, 1999