

HOUSE BILL REPORT

SB 6321

As Passed House:

March 6, 2002

Title: An act relating to electronically filing declarations of candidacy.

Brief Description: Allowing candidates to file electronically.

Sponsors: By Senators Gardner, McCaslin, Roach, T. Sheldon, Keiser, McAuliffe, Hale and Oke; by request of Secretary of State.

Brief History:

Committee Activity:

State Government: 2/25/02, 2/28/02 [DP].

Floor Activity:

Passed House: 3/6/02, 93-0.

Brief Summary of Bill

- Authorizes the Secretary of State to allow for on-line filing of declarations of candidacy and electronic payment of filing fees.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass. Signed by 6 members: Representatives Romero, Chair; Miloscia, Vice Chair; McMorris, Ranking Minority Member; McDermott, Schindler and Schmidt.

Staff: Kimberly Berry (786-7291).

Background:

Candidates for elected statewide or local office must file a declaration and affidavit of candidacy. Declarations of candidacy must be filed with the Secretary of State for the following offices:

- statewide offices;
- U.S. Senate;
- U.S. House of Representatives;
- state Legislature;

- court of appeals; and
- superior court for districts comprising multiple counties.

Declarations of candidacy for all other offices are filed with the appropriate county auditor.

The standard form used for declarations of candidacy must include the following information:

- Jurisdiction in which a candidate is registered to vote;
- elected position for which a candidate is filing;
- candidate's party designation, if applicable;
- amount of the filing fee or nominating petition in lieu of fee; and
- candidate's signature, statement of truth, and an affirmation that the candidate will support the Constitutions and laws of the United States and the state of Washington.

Summary of Bill:

The Secretary of State and county auditors are authorized to allow for on-line filing of declarations of candidacy and electronic payment of filing fees.

A candidate may file his or her declaration of candidacy for an office by electronic means on a system specifically designed and authorized by a filing officer to accept filings.

To facilitate electronic filing, the Secretary of State may adopt rules to establish which jurisdictions are eligible to accept electronic filing, under what circumstances electronic filing would be permitted, and the processes necessary for electronic filing.

Filings that are received electronically must be able to capture the same information required on the standard (hard-copy) declaration of candidacy form. Additionally, since a candidate cannot sign an electronic filing, submission of the electronic form constitutes agreement that the information provided is true, and that he or she will support the Constitutions and laws of the United States and the state of Washington. Submission of the electronic form also confirms he or she agrees to electronic payment of the filing fee.

Times for electronic filings are designated to begin at 9:00 a.m. the fourth Monday in July and continue through 4:00 p.m. the following Friday. For special filing periods, electronic filings are designated to begin at 9:00 a.m. on the first day of the special filing period and continue through 4:00 p.m. the last day of the special filing period.

The Secretary of State may take the necessary steps to ensure that these requirements are implemented on the effective date.

Technical changes are made, including correcting a Revised Code of Washington

reference and a gender reference.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill is supported the same as the house companion bill without any new testimony.

Testimony Against: None.

Testified: Dean Logan, Office of the Secretary of State.