

# SENATE BILL REPORT

## HB 1577

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As Reported By Senate Committee On:  
State & Local Government, March 21, 2001

**Title:** An act relating to candidates for elected office.

**Brief Description:** Clarifying standards for candidates using party designations.

**Sponsors:** By Representatives D. Schmidt and Romero; by request of Secretary of State.

**Brief History:**

**Committee Activity:** State & Local Government: 3/21/01 [DP].

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### SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

**Majority Report:** Do pass.

Signed by Senators Patterson, Chair; Fairley, Vice Chair; Hale, Haugen, Horn, Kline, McCaslin and T. Sheldon.

**Staff:** Aaron Jennings (786-7445)

**Background:** Minor party partisan candidates may be nominated either by a convention held on or after the last Saturday in June but no later than the first Saturday in June, or as write-in candidates. A nomination petition must contain the name of the minor party or independent. The political party or independent status of each candidate for each political office shall be indicated on the ballot.

**Summary of Bill:** Minor party partisan candidates may be nominated in several ways. All minor party candidates may be nominated by a convention held on or after the last Saturday in June, but no later than the first Saturday in July. A presidential candidate may be nominated by a convention held on or after the first Sunday in July, but not later than 70 days before the general election. Further, candidates may be nominated as write-in candidates. Finally, if a special filing period for partisan office is opened, a candidate of a minor political party or independent candidate may file for the office during the filing period. The names of minor party candidates or independent candidates nominated during a special filing period do not appear on the ballot unless they are nominated by convention within five days after the filing period closes.

Presidential candidates must be included on the Secretary of State's certification of nominees. Political parties may change their candidate for Vice President up to 45 days before the general election.

Provisions are made to resolve conflicting claims of two or more persons to be the nominee of a minor party for the same partisan office if a valid nominating certificate for each of the candidates was filed from the same party. The conflict may be resolved by mutual agreement

of the candidates or by the superior court of the county in which the filing officer is located, but the candidates are treated as independent candidates if the conflict is not resolved.

If a candidate is nominated by two or more minor parties or independent conventions, or if a candidate filed a declaration of candidacy declaring an affiliation with a major political party and has been nominated by one or more minor parties or independent conventions, the candidate must file a notice within three days after the close of the filing period designating the political party to be shown on the ballot with the candidate. If the candidate fails to file a declaration, the name of the political party on the first document filed is shown on the ballot.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** This bill makes technical additions and changes that will help avoid litigation.

**Testimony Against:** None.

**Testified:** Bill Huennekens, Office of Secretary of State (pro).