

1 vote for their choices at ~~((any))~~ the primary ~~((held under this~~
2 ~~title,))~~ for any candidate for each partisan elective office,
3 regardless of political affiliation and without ~~((a declaration of))~~
4 declaring political faith or adherence ~~((on the part of the voter))~~.

5 **PART II**

6 **VOLUNTARY PARTY REGISTRATION**

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 29.07 RCW
8 to read as follows:

9 A system of voluntary party registration is established for
10 Washington state. Each person who registers to vote must be given a
11 separate document for voluntarily registering as a member of any
12 political party or for voluntarily changing or canceling his or her
13 political party membership. Each voter who is provided with a ballot
14 for a primary or general election must be given a separate document for
15 voluntarily registering as a member of any political party or for
16 voluntarily changing or canceling his or her political party
17 membership. Registering as a member of a political party automatically
18 cancels any prior registration as a member of another political party.

19 Any document for a voter registering as a party member, or for
20 changing or canceling party membership, must include a clear and
21 concise statement indicating that these actions are completely
22 voluntary. The statement must be in bold print of a large font. Party
23 membership is not a condition of eligibility to vote at a primary or
24 election. Party registration records are public records subject to
25 disclosure under chapter 42.17 RCW.

26 **PART III**

27 **CANDIDATE CERTIFICATION**

28 NEW SECTION. **Sec. 3.** A new section is added to chapter 29.42 RCW
29 to read as follows:

30 A major political party may select and certify one or more
31 candidates for each partisan office and file the certification with the
32 appropriate filing officer along with paying the applicable filing fee
33 for each person so certified. The selection of candidates must be made
34 according to rules adopted by the state central committee or comparable
35 statewide body of the major political party. The rules applicable to

1 the selection of candidates by a major political party for a particular
2 primary are the rules that the party has on file with the secretary of
3 state as of sixty days before the earliest date when a declaration and
4 affidavit of candidacy and certifications of candidates by major
5 political parties may be filed for that primary. A party's rules must
6 allow a party member seeking to be certified as one of the party's
7 candidates for a partisan office, at his or her option, to use either
8 a petition method or a convention process to gain the certification.
9 The rules for both a petition method and convention process must be
10 uniform throughout the state for nominating candidates for each of the
11 following types of partisan office, but may vary among these different
12 types of partisan office: (1) United States senate; (2) United States
13 house of representatives; (3) state offices elected on a statewide
14 basis; (4) state legislative offices; and (5) county offices. A
15 registered party member who is eligible to sign a petition must be
16 allowed to sign separate petitions for different candidates for the
17 same office. Each registered party member who is eligible to vote at
18 a convention to select a candidate must be allowed to vote for each
19 person seeking the nomination for the same office. Each person who
20 obtains the necessary petition or convention approval to be certified
21 as a candidate of a major political party for a partisan office must be
22 included in the list of candidates who are certified to the appropriate
23 filing officer.

24 **Sec. 4.** RCW 29.15.010 and 1990 c 59 s 82 are each amended to read
25 as follows:

26 (1) A ~~((candidate))~~ person who desires to have his or her name
27 printed on the ballot for election to ~~((an))~~ a nonpartisan office where
28 ownership of property is not a prerequisite to vote, or who desires to
29 have his or her name printed on the ballot as an independent candidate
30 or minor party candidate for election to a partisan office, other than
31 president of the United States~~((or))~~ or vice-president of the United
32 States, ~~((or an office for which ownership of property is a~~
33 prerequisite to voting)) shall complete and file a declaration and
34 affidavit of candidacy for the office. The secretary of state shall
35 adopt, by rule, a ~~((declaration of candidacy))~~ separate form for
36 candidates for the office of precinct committee officer and a
37 ~~((separate))~~ standard form for candidates for all other offices filing
38 under this chapter. Included on the standard form ~~((shall))~~ must be:

1 (~~(1)~~) (a) A place for the candidate to declare that he or she is
2 a registered voter within the jurisdiction of the office for which he
3 or she is filing, and the address at which he or she is registered;

4 (~~(2)~~) (b) A place for the candidate to indicate the position for
5 which he or she is filing;

6 (~~(3)~~) (c) A place for the candidate to indicate ~~((a party~~
7 ~~designation))~~ his or her status as an independent candidate or minor
8 party candidate who is not a registered member of a major political
9 party, if applicable;

10 (~~(4)~~) (d) A place for the candidate to indicate the amount of the
11 filing fee accompanying the declaration and affidavit of candidacy or
12 for the candidate to indicate that he or she is filing a nominating
13 petition in lieu of the filing fee under RCW 29.15.050;

14 (~~(5)~~) (e) A place for the candidate to sign the declaration and
15 affidavit of candidacy, stating that the information provided on the
16 form is true and swearing or affirming that he or she will support the
17 Constitution and laws of the United States and the Constitution and
18 laws of the state of Washington(~~(-~~

19 ~~The secretary of state may require))~~; and

20 (f) Any other information ~~((on the form he or she))~~ that the
21 secretary of state deems appropriate to facilitate the filing process.

22 (2) A major political party desiring to have one or more names of
23 registered members of that political party printed on the ballot as
24 candidates from that political party for a partisan office, other than
25 president of the United States or vice-president of the United States,
26 may select and certify the name or names of the candidates to the
27 appropriate filing officer along with paying the applicable filing fee
28 for each person so certified. The process for a major political party
29 to select the names of its candidates must be in accordance with
30 section 3 of this act. The certification of candidates must include
31 information the secretary of state deems appropriate.

32 **Sec. 5.** RCW 29.15.020 and 1990 c 59 s 81 are each amended to read
33 as follows:

34 Except where otherwise provided by this title, declarations and
35 affidavits of candidacy, and certifications of candidates for partisan
36 offices from major political parties, for the following offices
37 ~~((shall))~~ must be filed during regular business hours with the filing
38 officer no earlier than the fourth Monday in July and no later than the

1 following Friday in the year in which the office is scheduled to be
2 voted upon:

3 (1) Offices that are scheduled to be voted upon for full terms or
4 both full terms and short terms at, or in conjunction with, a state
5 general election; and

6 (2) Offices where a vacancy, other than a short term, exists that
7 has not been filled by election and for which an election to fill the
8 vacancy is required in conjunction with the next state general
9 election.

10 This section supersedes all other statutes that provide for a
11 different filing period for these offices.

12 **Sec. 6.** RCW 29.15.025 and 1999 c 298 s 9 are each amended to read
13 as follows:

14 (1)(a) A person filing a declaration and affidavit of candidacy for
15 ~~((an))~~ a nonpartisan office shall, at the time of filing, be a
16 registered voter and possess the qualifications specified by law for
17 persons who may be elected to the office.

18 (b) A person filing a declaration and affidavit of candidacy as an
19 independent candidate or minor party candidate for a partisan office
20 must, at the time of the filing be a registered voter and possess the
21 qualifications specified by law for persons who may be elected to the
22 partisan office, but may not be a registered member of another
23 political party.

24 (c) Each person listed on a certification of candidates for a
25 partisan office from a major political party must, at the time of
26 filing or certification, be a registered member of that political
27 party, be a registered voter, and possess the qualifications specified
28 by law for persons who may be elected to the partisan office.

29 (2) The name of a candidate for an office shall not appear on a
30 ballot for that office unless, except as provided in RCW 3.46.067 and
31 3.50.057, the candidate is, at the time the candidate's declaration and
32 affidavit of candidacy is filed or at the time the certification of
33 candidates from his or her major political party is filed, properly
34 registered to vote in the geographic area represented by the office.
35 For the purposes of this section, each geographic area in which
36 registered voters may cast ballots for an office is represented by that
37 office. If a person elected to an office must be nominated from a
38 district or similar division of the geographic area represented by the

1 office, the name of a candidate for the office shall not appear on a
2 primary ballot for that office unless the candidate is, at the time the
3 candidate's declaration and affidavit of candidacy is filed or at the
4 time the certification of candidates from his or her major political
5 party is filed, properly registered to vote in that district or
6 division. The officer with whom declarations and affidavits of
7 candidacy and certifications of candidates from major political parties
8 must be filed under this title shall review each (~~sueh~~) declaration
9 (~~filed regarding~~) and affidavit of candidacy and each certification
10 of the names of candidates from a major political party to determine
11 compliance with this subsection.

12 (3) (~~This section does~~) As provided in Article I, section 2,
13 paragraph 2, of the United States Constitution, the residency
14 requirements of this section do not apply to candidates for the office
15 of a member of the United States congress.

16 **Sec. 7.** RCW 29.15.040 and 1987 c 110 s 2 are each amended to read
17 as follows:

18 Any candidate may mail his or her declaration and affidavit of
19 candidacy for an office , and any major political party may mail its
20 certification of candidates for partisan offices, to the appropriate
21 filing officer. (~~Sueh~~) Declarations and affidavits of candidacy
22 (~~shall~~) and certifications of candidates must be processed by the
23 filing officer in the following manner:

24 (1) Any declaration and affidavit of candidacy, or certification of
25 candidates, received by the filing officer by mail before the tenth
26 business day immediately preceding the first day for candidates to file
27 for office (~~shall~~) must be returned to the candidate or major
28 political party submitting it, together with a notification that the
29 declaration and affidavit of candidacy or certification of candidates
30 was received too early to be processed. The candidate (~~shall~~) must
31 then be permitted to resubmit his or her declaration and affidavit of
32 candidacy, and the major political party may resubmit its certification
33 of candidates, during the filing period.

34 (2) Any properly executed declaration and affidavit of candidacy,
35 or certification of candidates from a major political party, received
36 by mail on or after the tenth business day immediately preceding the
37 first day for candidates to file for office and before the close of
38 business on the last day of the filing period (~~shall~~) must be

1 included with filings made in person during the filing period. In
2 partisan and judicial elections the filing officer shall determine by
3 lot the order in which the names of those candidates (~~shall~~) will
4 appear upon sample and absentee primary ballots.

5 (3) Any declaration and affidavit of candidacy, or certification of
6 candidates from a major political party, received by the filing officer
7 after the close of business on the last day for candidates to file for
8 office (~~shall~~) must be rejected and returned to the candidate or
9 major political party attempting to file it.

10 **Sec. 8.** RCW 29.15.230 and 1981 c 180 s 2 are each amended to read
11 as follows:

12 Filings for a partisan elective office (~~shall~~) must be opened for
13 a period of three normal business days whenever, on or after the first
14 day of the regular filing period and before the fourth Tuesday prior to
15 a primary, a vacancy occurs in that office, leaving an unexpired term
16 to be filled by an election for which filings have not been held.

17 (~~Any such~~) The special three-day filing period (~~shall~~) must be
18 fixed by the election officer with whom declarations and affidavits of
19 candidacy, and certification of candidates from major political
20 parties, for that office are filed. The election officer shall give
21 notice of the special three-day filing period by notifying the press,
22 radio, and television in the county or counties involved, and by such
23 other means as may be required by law.

24 Candidacies validly filed within the special three-day filing
25 period shall appear on the primary ballot as if filed or certified
26 during the regular filing period.

27 NEW SECTION. **Sec. 9.** RCW 29.18.150 (Vacancies on major party
28 ticket caused by no filing--How filled) and 1990 c 59 s 102, 1977 ex.s.
29 c 329 s 12, & 1965 c 9 s 29.18.150 are each repealed.

30 **PART IV**
31 **WRITE-IN CANDIDATES**

32 **Sec. 10.** RCW 29.04.180 and 1999 c 157 s 1 are each amended to read
33 as follows:

34 Any person who desires to be a write-in candidate and have such
35 votes counted at a primary or election may, if the jurisdiction of the

1 office sought is entirely within one county, file a declaration of
2 candidacy with the county auditor not later than the day before the
3 primary or election. However, except as provided under RCW 29.62.180
4 for candidates of a major political party appointed to fill a vacancy
5 by death or disqualification, a write-in vote for a partisan office may
6 only be cast for an independent candidate or minor party candidate. If
7 the jurisdiction of the office sought encompasses more than one county
8 the declaration of candidacy shall be filed with the secretary of state
9 not later than the day before the primary or election. Declarations of
10 candidacy for write-in candidates must be accompanied by a filing fee
11 in the same manner as required of other candidates filing for the
12 office as provided in RCW 29.15.050.

13 Votes cast for write-in candidates who have filed ~~((such))~~
14 declarations of candidacy ~~((and write-in votes for persons appointed by~~
15 ~~political parties pursuant to RCW 29.18.160))~~ need only specify the
16 name of the candidate in the appropriate location on the ballot in
17 order to be counted. Write-in votes cast for any other candidate, in
18 order to be counted, must designate the office sought ~~((and))~~, position
19 number ~~((or))~~ if applicable, and independent status or minor political
20 party~~((or))~~ if applicable. In order for write-in votes to be valid in
21 jurisdictions employing optical-scan mark sense ballot systems the
22 voter must complete the proper mark next to the write-in line for that
23 office.

24 No person may file as a write-in candidate where:

25 (1) At a general election, the person attempting to file either
26 filed as a write-in candidate for the same office at the preceding
27 primary or the person's name appeared on the ballot for the same office
28 at the preceding primary;

29 (2) The person attempting to file as a write-in candidate has
30 already filed a valid write-in declaration for that primary or
31 election, unless one or the other of the two filings is for the office
32 of precinct committee person;

33 (3) The name of the person attempting to file already appears on
34 the ballot as a candidate for another office, unless one of the two
35 offices for which he or she is a candidate is precinct committee person.

36 The declaration of candidacy shall be similar to that required by
37 RCW 29.15.010. No write-in candidate filing under RCW 29.04.180 may be
38 included in any voter's pamphlet produced under chapter ~~((29.80))~~ 29.81
39 RCW unless that candidate qualifies to have his or her name printed on

1 the general election ballot. The legislative authority of any
2 jurisdiction producing a local voter's pamphlet under chapter 29.81A
3 RCW may provide, by ordinance, for the inclusion of write-in candidates
4 in ~~((such))~~ the pamphlets.

5 **Sec. 11.** RCW 29.51.173 and 1993 c 1 s 6 are each amended to read
6 as follows:

7 Nothing in RCW 43.01.015, 44.04.015, 29.68.015, or 29.68.016
8 prohibits a qualified voter of this state from casting a ballot for any
9 person by writing the name of that person on the ballot in accordance
10 with RCW ~~((29.51.170))~~ 29.62.180 or from having ~~((such-a))~~ the ballot
11 counted or tabulated, nor does anything in RCW 43.01.015, 44.04.015,
12 29.68.015, or 29.68.016 prohibit a person from standing or campaigning
13 for an elective office by means of a write-in campaign. However,
14 except as provided under RCW 29.62.180 for candidates of a major
15 political party appointed to fill a vacancy by death or
16 disqualification, a write-in vote for a partisan office may only be
17 cast for an independent candidate or minor party candidate.

18 **Sec. 12.** RCW 29.62.180 and 1999 c 157 s 3 are each amended to read
19 as follows:

20 (1) For any office at any election or primary, any voter may write
21 in on the ballot the name of any person for an office who has filed as
22 a write-in candidate for the office in the manner provided by RCW
23 29.04.180, and ~~((such))~~ the vote ~~((shall))~~ must be counted the same as
24 if the name had been printed on the ballot and marked by the voter. A
25 write-in ballot for a partisan office may only be counted if the
26 candidate is an independent candidate or a minor party candidate.
27 However, if a major political party appoints a candidate under RCW
28 29.18.160 to fill a vacancy by death or disqualification, and the
29 ballots have not been changed to reflect this appointment, a write-in
30 vote cast for the appointed candidate must be counted for the appointed
31 candidate along with the votes cast for the person whose name is
32 printed on the ballot as a candidate from that major political party
33 but otherwise would have been replaced by the appointed candidate if
34 time had permitted. No write-in vote made for any person who has not
35 filed a declaration of candidacy pursuant to RCW 29.04.180 is valid if
36 that person filed for the same office, either as a regular candidate or
37 a write-in candidate, at the preceding primary. Any abbreviation used

1 to designate office, position, or minor political party (~~shall~~) must
2 be accepted if the canvassing board can determine, to their
3 satisfaction, the voter's intent.

4 (2) The number of write-in votes cast for each office must be
5 recorded and reported with the canvass for the election.

6 (3) Write-in votes cast for an individual candidate for an office
7 need not be tallied if the total number of write-in votes cast for the
8 office is not greater than the number of votes cast for the candidate
9 apparently nominated or elected, and the write-in votes could not have
10 altered the outcome of the primary or election. In the case of write-
11 in votes for statewide office or for any office whose jurisdiction
12 encompasses more than one county, write-in votes for an individual
13 candidate must be tallied whenever the county auditor is notified by
14 either the office of the secretary of state or another auditor in a
15 multicounty jurisdiction that it appears that the write-in votes could
16 alter the outcome of the primary or election.

17 (4) In the case of statewide offices or jurisdictions that
18 encompass more than one county, if the total number of write-in votes
19 cast for an office within a county is greater than the number of votes
20 cast for a candidate apparently nominated or elected in a primary or
21 election, the auditor shall tally all write-in votes for individual
22 candidates for that office and notify the office of the secretary of
23 state and the auditors of the other counties within the jurisdiction,
24 that the write-in votes for individual candidates should be tallied.

25 NEW SECTION. **Sec. 13.** Part headings used in this act are not part
26 of the law.

27 NEW SECTION. **Sec. 14.** This act is necessary for the immediate
28 preservation of the public peace, health, or safety, or support of the
29 state government and its existing public institutions, and takes effect
30 immediately.

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