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**SUBSTITUTE HOUSE BILL 2709**

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**State of Washington**

**57th Legislature**

**2002 Regular Session**

**By** House Committee on State Government (originally sponsored by Representatives Romero, Upthegrove, Ogden, Cooper, Grant and McDermott)

Read first time 02/08/2002. Referred to Committee on .

1 AN ACT Relating to minor party nominating conventions; amending RCW  
2 29.24.020, 29.24.025, 29.24.030, 29.24.035, and 29.24.040; adding a new  
3 section to chapter 29.24 RCW; creating a new section; and prescribing  
4 penalties.

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

6 NEW SECTION. **Sec. 1.** It is the intent of the legislature to  
7 protect the integrity of the election process for minor political  
8 parties and independent candidates. This act is not intended to create  
9 barriers to the political process for minor political parties and  
10 independent candidates, but to prevent major political parties from  
11 interfering in the nominating process for minor political parties and  
12 independent candidates.

13 **Sec. 2.** RCW 29.24.020 and 2001 c 30 s 2 are each amended to read  
14 as follows:

15 (1) Any nomination of a candidate for partisan public office by  
16 other than a major political party may be made only: (a) In a  
17 convention held not earlier than the last Saturday in June and not  
18 later than the first Saturday in July or during any of the seven days

1 immediately preceding the first day for filing declarations of  
2 candidacy as fixed in accordance with RCW 29.68.080; (b) as provided by  
3 RCW 29.62.180; or (c) as otherwise provided in this section.

4 (2) Nominations of candidates for president and vice president of  
5 the United States other than by a major political party may be made  
6 either at a convention conducted under subsection (1) of this section,  
7 or at a similar convention taking place not earlier than the first  
8 Sunday in July and not later than seventy days before the general  
9 election. Conventions held during this time period may not nominate  
10 candidates for any public office other than president and vice  
11 president of the United States, except as provided in subsection (3) of  
12 this section.

13 (3) If a special filing period for a partisan office is opened  
14 under RCW 29.15.230, candidates of minor political parties and  
15 independent candidates may file for office during that special filing  
16 period. The names of those candidates may not appear on the ballot  
17 unless they are nominated by convention held no later than five days  
18 after the close of the special filing period and a certificate of  
19 nomination is filed with the filing officer no later than three days  
20 after the convention. The requirements of RCW 29.24.025 do not apply  
21 to such a convention. If primary ballots or a voters' pamphlet are  
22 ordered to be printed before the deadline for submitting the  
23 certificate of nomination and the certificate has not been filed, then  
24 the candidate's name will be included but may not appear on the general  
25 election ballot unless the certificate is timely filed and the  
26 candidate otherwise qualifies to appear on that ballot.

27 (4) A minor political party may hold more than one convention but  
28 in no case shall any such party nominate more than one candidate for  
29 any one partisan public office or position. For the purpose of  
30 nominating candidates for the offices of president and vice president,  
31 United States senator, or a statewide office, a minor party or  
32 independent candidate holding multiple conventions may add together the  
33 number of signatures of different individuals from each convention  
34 obtained in support of the candidate or candidates in order to obtain  
35 the number required by RCW 29.24.030. For all other offices for which  
36 nominations are made, signatures of the requisite number of registered  
37 voters must be obtained at a single convention, and the candidate or  
38 candidates nominated must be present at the convention or must provide

1 a notarized statement executed prior to the convention expressing a  
2 willingness to be nominated.

3 **Sec. 3.** RCW 29.24.025 and 1989 c 215 s 1 are each amended to read  
4 as follows:

5 Each minor party or independent candidate must publish a notice in  
6 a newspaper of general circulation within the county in which the party  
7 or the candidate intends to hold a convention and must file a notice  
8 with the appropriate filing officer as provided in RCW 29.24.040(7).  
9 The notice must appear at least ten days before the convention is to be  
10 held, (~~and~~) shall state the date, time, and place of the  
11 convention(~~(. — Additionally, it)~~), and shall include the mailing  
12 address of the person or organization sponsoring the convention.

13 **Sec. 4.** RCW 29.24.030 and 1989 c 215 s 3 are each amended to read  
14 as follows:

15 (1) To be valid, a convention must be attended by at least twenty-  
16 five registered voters.

17 (2) In order to nominate candidates for the offices of president  
18 and vice-president of the United States, United States senator, or any  
19 state-wide office, a nominating convention shall obtain and submit to  
20 the filing officer the signatures of at least two hundred registered  
21 voters of the state of Washington. In order to nominate candidates for  
22 any other office, a nominating convention shall obtain and submit to  
23 the filing officer the signatures of twenty-five persons who are  
24 registered to vote in the jurisdiction of the office for which the  
25 nominations are made. No person who is a precinct committee officer  
26 may sign a nominating petition submitted under this chapter.

27 **Sec. 5.** RCW 29.24.035 and 2001 c 64 s 1 are each amended to read  
28 as follows:

29 A nominating petition submitted under this chapter shall clearly  
30 identify the name of the minor party or independent candidate  
31 convention as it appears on the certificate of nomination as required  
32 by RCW 29.24.040(3), and the name of the candidate or candidates to be  
33 nominated. The petition shall also contain a statement that the person  
34 signing the petition is a registered voter of the state of Washington  
35 and shall have a space for the voter to sign his or her name and to  
36 print his or her name and address. No person may sign more than one

1 nominating petition under this chapter for an office for a primary or  
2 election. No person who is a precinct committee officer may sign a  
3 nominating petition submitted under this chapter.

4 **Sec. 6.** RCW 29.24.040 and 1989 c 215 s 4 are each amended to read  
5 as follows:

6 A certificate evidencing nominations made at a convention must:

7 (1) Be in writing;

8 (2) Contain the name of each person nominated, his residence, and  
9 the office for which he is named, and if the nomination is for the  
10 offices of president and vice-president of the United States, a sworn  
11 statement from both nominees giving their consent to the nomination;

12 (3) Identify the minor political party or the independent candidate  
13 on whose behalf the convention was held;

14 (4) Be verified by the oath of the presiding officer and secretary,  
15 neither of whom may be a precinct officer;

16 (5) Be accompanied by a nominating petition or petitions bearing  
17 the signatures and addresses of registered voters equal in number to  
18 that required by RCW 29.24.030;

19 (6) Contain proof of publication of the notice of calling the  
20 convention; and

21 (7) Be submitted to the appropriate filing officer not later than  
22 one week following the adjournment of the convention at which the  
23 nominations were made. If the nominations are made only for offices  
24 whose jurisdiction is entirely within one county, the certificate and  
25 nominating petitions must be filed with the county auditor. If a minor  
26 party or independent candidate convention nominates any candidates for  
27 offices whose jurisdiction encompasses more than one county, all  
28 nominating petitions and the convention certificates must be filed with  
29 the secretary of state.

30 NEW SECTION. **Sec. 7.** A new section is added to chapter 29.24 RCW  
31 to read as follows:

32 Every person who signs a nominating petition using other than his  
33 or her true name, who makes a false statement on a nominating petition  
34 as to his or her residence, who is not registered to vote in the  
35 jurisdiction of the office for which the nomination is made, who signs  
36 a nominating petition for a minor political party or an independent  
37 candidate while serving as a precinct committee officer, who knowingly

1 signs more than one nominating petition for the same office, who signs  
2 a nominating petition that does not clearly identify the name of the  
3 candidate or candidates to be nominated, who serves as a presiding  
4 officer or a secretary at a minor political party or independent  
5 candidate nominating convention while serving as a precinct committee  
6 officer, or who falsely verifies a certificate of nomination, is guilty  
7 of a gross misdemeanor punishable in the same manner as a gross  
8 misdemeanor is punishable under RCW 9A.20.021.

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