

6453.E AMH ARMS H5336.2

ESB 6453 - H AMD 1184

By Representative Armstrong

ADOPTED 03/08/2004

1 On page 1, after line 17, insert the following:

2 "PART 1 - QUALIFYING PRIMARY"

3

4 On page 3, beginning on line 31, after "RCW 29A.24.030(3)" strike
5 "or section 16 of this act"

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6 On page 10, beginning on line 15, after "general election." strike
7 all material through "applies" on line 18

8 Beginning on page 10, line 36, strike all of section 16

9 Renumber the remaining sections consecutively, correct any internal
10 references accordingly, and correct the title.

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11 On page 24, line 26, after "RCW 29A.24.030(3)" strike "or section
12 16 of this act"

1 On page 42, after line 27, insert the following:

2 **"PART 2 - NOMINATING PRIMARY**

3 NEW SECTION. **Sec. 101.** A new section is added to chapter 29A.52
4 RCW to read as follows:

5 If a court of competent jurisdiction holds that a candidate may not
6 identify a major or minor political party as best approximating his or
7 her political philosophy, as provided in RCW 29A.24.030(3), and all
8 appeals of that court order have been exhausted or waived, the
9 secretary of state shall notify the governor, the majority and minority
10 leaders of the two largest caucuses in the senate and the house of
11 representatives, the code reviser, and all county auditors that the
12 state can no longer conduct a qualifying primary and instead will
13 conduct a nominating primary. Upon issuance of such a notification by
14 the secretary of state, no qualifying primary may be held in
15 Washington.

16 NEW SECTION. **Sec. 102.** A new section is added to chapter 29A.04
17 RCW to read as follows:

18 As used in this title:

19 (1) "Ballot" means, as the context implies, either:

20 (a) The issues and offices to be voted upon in a jurisdiction or
21 portion of a jurisdiction at a particular primary, general election, or
22 special election;

23 (b) A facsimile of the contents of a particular ballot whether
24 printed on a paper ballot or ballot card or as part of a voting machine
25 or voting device;

26 (c) A physical or electronic record of the choices of an individual
27 voter in a particular primary, general election, or special election;
28 or

29 (d) The physical document on which the voter's choices are to be
30 recorded;

1 (2) "Paper ballot" means a piece of paper on which the ballot for
2 a particular election or primary has been printed, on which a voter may
3 record his or her choices for any candidate or for or against any
4 measure, and that is to be tabulated manually;

5 (3) "Ballot card" means any type of card or piece of paper of any
6 size on which a voter may record his or her choices for any candidate
7 and for or against any measure and that is to be tabulated on a vote
8 tallying system;

9 (4) "Sample ballot" means a printed facsimile of all the issues and
10 offices on the ballot in a jurisdiction and is intended to give voters
11 notice of the issues, offices, and candidates that are to be voted on
12 at a particular primary, general election, or special election;

13 (5) "Provisional ballot" means a ballot issued to a voter at the
14 polling place on election day by the precinct election board, for one
15 of the following reasons:

16 (a) The voter's name does not appear in the poll book;

17 (b) There is an indication in the poll book that the voter has
18 requested an absentee ballot, but the voter wishes to vote at the
19 polling place;

20 (c) There is a question on the part of the voter concerning the
21 issues or candidates on which the voter is qualified to vote;

22 (6) "Party ballot" means a primary election ballot specific to a
23 particular major political party that lists all partisan offices to be
24 voted on at that primary, and the candidates for those offices who
25 affiliate with that same major political party;

26 (7) "Nonpartisan ballot" means a primary election ballot that lists
27 all nonpartisan races and ballot measures to be voted on at that
28 primary.

29 NEW SECTION. **Sec. 103.** A new section is added to chapter 29A.04
30 RCW to read as follows:

31 "Major political party" means a political party of which at least
32 one nominee for president, vice president, United States senator, or a
33 statewide office received at least five percent of the total vote cast
34 at the last preceding state general election in an even-numbered year.
35 A political party qualifying as a major political party under this
36 section retains such status until the next even-year election at which
37 a candidate of that party does not achieve at least five percent of the
38 vote for one of the previously specified offices. If none of these

1 offices appear on the ballot in an even-year general election, the
2 major party retains its status as a major party through that election.
3 However, a political party of which no nominee received at least ten
4 percent of the total vote cast may forgo its status as a major
5 political party by filing with the secretary of state an appropriate
6 party rule within sixty days of attaining major party status under this
7 section, or within fifteen days of the effective date of this act,
8 whichever is later.

9 NEW SECTION. **Sec. 104.** A new section is added to chapter 29A.04
10 RCW to read as follows:

11 The county auditor of each county shall be ex officio the
12 supervisor of all primaries and elections, general or special, and it
13 shall be the county auditor's duty to provide places for holding such
14 primaries and elections; to appoint the precinct election officers and
15 to provide for their compensation; to provide the supplies and
16 materials necessary for the conduct of elections to the precinct
17 election officers; and to publish and post notices of calling such
18 primaries and elections in the manner provided by law. The notice of
19 a primary held in an even-numbered year must indicate that the office
20 of precinct committee officer will be on the ballot. The auditor shall
21 also apportion to each city, town, or district, and to the state of
22 Washington in the odd-numbered year, its share of the expense of such
23 primaries and elections. This section does not apply to general or
24 special elections for any city, town, or district that is not subject
25 to section 106 of this act and RCW 29A.04.330, but all such elections
26 must be held and conducted at the time, in the manner, and by the
27 officials (with such notice, requirements for filing for office, and
28 certifications by local officers) as provided and required by the laws
29 governing such elections.

30 NEW SECTION. **Sec. 105.** A new section is added to chapter 29A.04
31 RCW to read as follows:

32 Nominating primaries for general elections to be held in November,
33 and the election of precinct committee officers, must be held on the
34 third Tuesday of the preceding September or on the seventh Tuesday
35 immediately preceding such general election, whichever occurs first.

1 NEW SECTION. **Sec. 106.** A new section is added to chapter 29A.04
2 RCW to read as follows:

3 (1) All state, county, city, town, and district general elections
4 for the election of federal, state, legislative, judicial, county,
5 city, town, and district officers, and for the submission to the voters
6 of the state, county, city, town, or district of any measure for their
7 adoption and approval or rejection, shall be held on the first Tuesday
8 after the first Monday of November, in the year in which they may be
9 called. A statewide general election shall be held on the first
10 Tuesday after the first Monday of November of each year. However, the
11 statewide general election held in odd-numbered years shall be limited
12 to (a) city, town, and district general elections as provided for in
13 RCW 29A.04.330, or as otherwise provided by law; (b) the election of
14 federal officers for the remainder of any unexpired terms in the
15 membership of either branch of the Congress of the United States; (c)
16 the election of state and county officers for the remainder of any
17 unexpired terms of offices created by or whose duties are described in
18 Article II, section 15, Article III, sections 16, 17, 19, 20, 21, 22,
19 and 23, and Article IV, sections 3 and 5 of the state Constitution and
20 RCW 2.06.080; (d) the election of county officers in any county
21 governed by a charter containing provisions calling for general county
22 elections at this time; and (e) the approval or rejection of state
23 measures, including proposed constitutional amendments, matters
24 pertaining to any proposed constitutional convention, initiative
25 measures and referendum measures proposed by the electorate, referendum
26 bills, and any other matter provided by the legislature for submission
27 to the electorate.

28 (2) A county legislative authority may, if it deems an emergency to
29 exist, call a special county election by presenting a resolution to the
30 county auditor at least forty-five days prior to the proposed election
31 date. Except as provided in subsection (4) of this section, a special
32 election called by the county legislative authority shall be held on
33 one of the following dates as decided by such governing body:

- 34 (a) The first Tuesday after the first Monday in February;
- 35 (b) The second Tuesday in March;
- 36 (c) The fourth Tuesday in April;
- 37 (d) The third Tuesday in May;
- 38 (e) The day of the primary as specified by section 105 of this act;

39 or

1 (f) The first Tuesday after the first Monday in November.

2 (3) In addition to the dates set forth in subsection (2)(a) through
3 (f) of this section, a special election to validate an excess levy or
4 bond issue may be called at any time to meet the needs resulting from
5 fire, flood, earthquake, or other act of God. Such county special
6 election shall be noticed and conducted in the manner provided by law.

7 (4) In a presidential election year, if a presidential preference
8 primary is conducted in February, March, April, or May under chapter
9 29A.56 RCW, the date on which a special election may be called by the
10 county legislative authority under subsection (2) of this section
11 during the month of that primary is the date of the presidential
12 primary.

13 (5) This section shall supersede the provisions of any and all
14 other statutes, whether general or special in nature, having different
15 dates for such city, town, and district elections, the purpose of this
16 section being to establish mandatory dates for holding elections except
17 for those elections held pursuant to a home-rule charter adopted under
18 Article XI, section 4 of the state Constitution. This section shall
19 not be construed as fixing the time for holding primary elections, or
20 elections for the recall of any elective public officer.

21 NEW SECTION. **Sec. 107.** A new section is added to chapter 29A.08
22 RCW to read as follows:

23 No record may be created or maintained by a state or local
24 governmental agency or a political organization that identifies a voter
25 with the information marked on the voter's ballot, including the choice
26 that a voter makes on a partisan primary ballot regarding political
27 party affiliation.

28 NEW SECTION. **Sec. 108.** A new section is added to chapter 29A.08
29 RCW to read as follows:

30 Under no circumstances may an individual be required to affiliate
31 with, join, adhere to, express faith in, or declare a preference for,
32 a political party or organization upon registering to vote.

33 NEW SECTION. **Sec. 109.** A new section is added to chapter 29A.12
34 RCW to read as follows:

35 The secretary of state shall not approve a vote tallying system
36 unless it:

1 (1) Correctly counts votes on ballots on which the proper number of
2 votes have been marked for any office or issue;

3 (2) Ignores votes marked for any office or issue where more than
4 the allowable number of votes have been marked, but correctly counts
5 the properly voted portions of the ballot;

6 (3) Accumulates a count of the specific number of ballots tallied
7 for each precinct, total votes by candidate for each office, and total
8 votes for and against each issue of the ballot in that precinct;

9 (4) Produces precinct and cumulative totals in printed form; and

10 (5) Except for functions or capabilities unique to this state, has
11 been tested, certified, and used in at least one other state or
12 election jurisdiction.

13 NEW SECTION. **Sec. 110.** A new section is added to chapter 29A.20
14 RCW to read 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
19 immediately preceding the first day for filing declarations of
20 candidacy as fixed in accordance with section 118 of this act; (b) as
21 provided by section 147 of this act; or (c) as otherwise provided in
22 this section. Minor political party and independent candidates may
23 appear only on the general election ballot.

24 (2) Nominations of candidates for president and vice president of
25 the United States other than by a major political party may be made
26 either at a convention conducted under subsection (1) of this section,
27 or at a similar convention taking place not earlier than the first
28 Sunday in July and not later than seventy days before the general
29 election. Conventions held during this time period may not nominate
30 candidates for any public office other than president and vice
31 president of the United States, except as provided in subsection (3) of
32 this section.

33 (3) If a special filing period for a partisan office is opened
34 under section 116 of this act, candidates of minor political parties
35 and independent candidates may file for office during that special
36 filing period. The names of those candidates may not appear on the
37 general election ballot unless they are nominated by convention held no
38 later than five days after the close of the special filing period and

1 a certificate of nomination is filed with the filing officer no later
2 than three days after the convention. The requirements of section 189
3 of this act do not apply to such a convention.

4 (4) A minor political party may hold more than one convention but
5 in no case shall any such party nominate more than one candidate for
6 any one partisan public office or position. For the purpose of
7 nominating candidates for the offices of president and vice president,
8 United States senator, United States representative, or a statewide
9 office, a minor party or independent candidate holding multiple
10 conventions may add together the number of signatures of different
11 individuals from each convention obtained in support of the candidate
12 or candidates in order to obtain the number required by section 111 of
13 this act. For all other offices for which nominations are made,
14 signatures of the requisite number of registered voters must be
15 obtained at a single convention.

16 NEW SECTION. **Sec. 111.** A new section is added to chapter 29A.20
17 RCW to read as follows:

18 (1) To be valid, a convention must be attended by at least one
19 hundred registered voters.

20 (2) In order to nominate candidates for the offices of president
21 and vice president of the United States, United States senator, United
22 States representative, or any statewide office, a nominating convention
23 shall obtain and submit to the filing officer the signatures of at
24 least one thousand registered voters of the state of Washington. In
25 order to nominate candidates for any other office, a nominating
26 convention shall obtain and submit to the filing officer the signatures
27 of one hundred persons who are registered to vote in the jurisdiction
28 of the office for which the nominations are made.

29 NEW SECTION. **Sec. 112.** A new section is added to chapter 29A.20
30 RCW to read as follows:

31 A nominating petition submitted under this chapter shall clearly
32 identify the name of the minor party or independent candidate
33 convention as it appears on the certificate of nomination as required
34 by section 154(3) of this act. The petition shall also contain a
35 statement that the person signing the petition is a registered voter of
36 the state of Washington and shall have a space for the voter to sign

1 his or her name and to print his or her name and address. No person
2 may sign more than one nominating petition under this chapter for an
3 office for an election.

4 NEW SECTION. **Sec. 113.** A new section is added to chapter 29A.20
5 RCW to read as follows:

6 Not later than the Friday immediately preceding the first day for
7 candidates to file, the secretary of state shall notify the county
8 auditors of the names and designations of all minor party and
9 independent candidates who have filed valid convention certificates and
10 nominating petitions with that office. Except for the offices of
11 president and vice president, persons nominated under this chapter
12 shall file declarations of candidacy as provided by section 158 of this
13 act and RCW 29A.24.070. The name of a candidate nominated at a
14 convention shall not be printed upon the general election ballot unless
15 he or she pays the fee required by law to be paid by candidates for the
16 same office to be nominated at a primary.

17 NEW SECTION. **Sec. 114.** A new section is added to chapter 29A.24
18 RCW to read as follows:

19 (1) The nominating petition authorized by section 160 of this act
20 must be printed on sheets of uniform color and size, must include a
21 place for each individual to sign and print his or her name and the
22 address, city, and county at which he or she is registered to vote, and
23 must contain no more than twenty numbered lines.

24 (2) For candidates for nonpartisan office and candidates of a major
25 political party for partisan office, the nominating petition must be in
26 substantially the following form:

27 The warning prescribed by RCW 29A.72.140; followed by:

28 We, the undersigned registered voters of (the state of
29 Washington or the political subdivision for which the nomination is
30 made), hereby petition that the name of (candidate's name) be
31 printed on the official primary ballot for the office of (insert
32 name of office).

33 (3) For independent candidates and candidates of a minor political
34 party for partisan office, the nominating petition must be in
35 substantially the following form:

36 The warning prescribed by RCW 29A.72.140; followed by:

1 We, the undersigned registered voters of (the state of
2 Washington or the political subdivision for which the nomination is
3 made), hereby petition that the name of (candidate's name) be
4 printed on the official general election ballot for the office of
5 (insert name of office).

6 NEW SECTION. Sec. 115. A new section is added to chapter 29A.24
7 RCW to read as follows:

8 A candidate may withdraw his or her declaration of candidacy at any
9 time before the close of business on the Thursday following the last
10 day for candidates to file under RCW 29A.24.050 by filing, with the
11 officer with whom the declaration of candidacy was filed, a signed
12 request that his or her name not be printed on the ballot. There shall
13 be no withdrawal period for declarations of candidacy filed during
14 special filing periods held under this title. The filing officer may
15 permit the withdrawal of a filing for the office of precinct committee
16 officer at the request of the candidate at any time if no absentee
17 ballots have been issued for that office and the ballots for that
18 precinct have not been printed. The filing officer may permit the
19 withdrawal of a filing for any elected office of a city, town, or
20 special district at the request of the candidate at any time before a
21 primary if the primary ballots for that city, town, or special district
22 have not been ordered. No filing fee may be refunded to any candidate
23 who withdraws under this section. Notice of the deadline for
24 withdrawal of candidacy and that the filing fee is not refundable shall
25 be given to each candidate at the time he or she files.

26 NEW SECTION. Sec. 116. A new section is added to chapter 29A.24
27 RCW to read as follows:

28 Filings for a partisan elective office shall be opened for a period
29 of three normal business days whenever, on or after the first day of
30 the regular filing period and before the sixth Tuesday prior to a
31 primary, a vacancy occurs in that office, leaving an unexpired term to
32 be filled by an election for which filings have not been held.

33 Any such special three-day filing period shall be fixed by the
34 election officer with whom declarations of candidacy for that office
35 are filed. The election officer shall give notice of the special
36 three-day filing period by notifying the press, radio, and television

1 in the county or counties involved, and by such other means as may be
2 required by law.

3 Candidacies validly filed within the special three-day filing
4 period shall appear on the ballot as if filed during the regular filing
5 period.

6 NEW SECTION. **Sec. 117.** A new section is added to chapter 29A.24
7 RCW to read as follows:

8 Any person who desires to be a write-in candidate and have such
9 votes counted at a primary or election may file a declaration of
10 candidacy with the officer designated in RCW 29A.24.070 not later than
11 the day before the primary or election. Declarations of candidacy for
12 write-in candidates must be accompanied by a filing fee in the same
13 manner as required of other candidates filing for the office as
14 provided in section 160 of this act.

15 Votes cast for write-in candidates who have filed such declarations
16 of candidacy and write-in votes for persons appointed by major
17 political parties pursuant to section 192 of this act need only specify
18 the name of the candidate in the appropriate location on the ballot in
19 order to be counted. Write-in votes cast for any other candidate, in
20 order to be counted, must designate the office sought and position
21 number or political party, if the manner in which the write-in is done
22 does not make the office or position clear.

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

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

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

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

35 The declaration of candidacy shall be similar to that required by
36 section 158 of this act. No write-in candidate filing under this
37 section may be included in any voter's pamphlet produced under chapter
38 29A.32 RCW unless that candidate qualifies to have his or her name

1 printed on the general election ballot. The legislative authority of
2 any jurisdiction producing a local voter's pamphlet under chapter
3 29A.32 RCW may provide, by ordinance, for the inclusion of write-in
4 candidates in such pamphlets.

5 NEW SECTION. **Sec. 118.** A new section is added to chapter 29A.28
6 RCW to read as follows:

7 (1) Whenever a vacancy occurs in the United States house of
8 representatives or the United States senate from this state, the
9 governor shall order a special election to fill the vacancy. Minor
10 political party candidates and independent candidates may be nominated
11 through the convention procedures provided in chapter 29A.20 RCW.

12 (2) Within ten days of such vacancy occurring, he or she shall
13 issue a writ of election fixing a date for the special vacancy election
14 not less than ninety days after the issuance of the writ, fixing a date
15 for the primary for nominating major political party candidates for the
16 special vacancy election not less than thirty days before the day fixed
17 for holding the special vacancy election, fixing the dates for the
18 special filing period, and designating the term or part of the term for
19 which the vacancy exists. If the vacancy is in the office of United
20 States representative, the writ of election shall specify the
21 congressional district that is vacant.

22 (3) If the vacancy occurs less than six months before a state
23 general election and before the second Friday following the close of
24 the filing period for that general election, the special primary,
25 special vacancy election, and minor party and independent candidate
26 nominating conventions must be held in concert with the state primary
27 and state general election in that year.

28 (4) If the vacancy occurs on or after the first day for filing
29 under RCW 29A.24.050 and on or before the second Friday following the
30 close of the filing period, a special filing period of three normal
31 business days shall be fixed by the governor and notice thereof given
32 to all media, including press, radio, and television within the area in
33 which the vacancy election is to be held, to the end that, insofar as
34 possible, all interested persons will be aware of such filing period.
35 The last day of the filing period shall not be later than the third
36 Tuesday before the primary at which major political party candidates
37 are to be nominated. The names of major political party candidates who
38 have filed valid declarations of candidacy during this three-day period

1 shall appear on the approaching primary ballot. The requirements of
2 section 189 of this act do not apply to a minor political party or
3 independent candidate convention held under this subsection.

4 (5) If the vacancy occurs later than the second Friday following
5 the close of the filing period, a special primary, special vacancy
6 election, and the minor party and independent candidate conventions to
7 fill the position shall be held after the next state general election
8 but, in any event, no later than the ninetieth day following the
9 November election.

10 NEW SECTION. **Sec. 119.** A new section is added to chapter 29A.28
11 RCW to read as follows:

12 The general election laws and laws relating to partisan primaries
13 shall apply to the special primaries and vacancy elections provided for
14 in chapter 29A.28 RCW to the extent that they are not inconsistent with
15 the provisions of these sections. Minor political party and
16 independent candidates may appear only on the general election ballot.
17 Statutory time deadlines relating to availability of absentee ballots,
18 certification, canvassing, and related procedures that cannot be met in
19 a timely fashion may be modified for the purposes of a specific primary
20 or vacancy election under this chapter by the secretary of state
21 through emergency rules adopted under section 151 of this act.

22 NEW SECTION. **Sec. 120.** A new section is added to chapter 29A.28
23 RCW to read as follows:

24 If a vacancy occurs in the office of precinct committee officer by
25 reason of death, resignation, or disqualification of the incumbent, or
26 because of failure to elect, the respective county chair of the county
27 central committee shall fill the vacancy by appointment. However, in
28 a legislative district having a majority of its precincts in a county
29 with a population of one million or more, the appointment may be made
30 only upon the recommendation of the legislative district chair. The
31 person so appointed must have the same qualifications as candidates
32 when filing for election to the office for that precinct. When a
33 vacancy in the office of precinct committee officer exists because of
34 failure to elect at a state primary, the vacancy may not be filled
35 until after the organization meeting of the county central committee
36 and the new county chair has been selected as provided by RCW
37 29A.80.030.

1 NEW SECTION. **Sec. 121.** A new section is added to chapter 29A.32
2 RCW to read as follows:

3 The voters' pamphlet must contain:

4 (1) Information about each ballot measure initiated by or referred
5 to the voters for their approval or rejection as required by RCW
6 29A.32.070;

7 (2) In even-numbered years, statements, if submitted, advocating
8 the candidacies of nominees for the office of president and vice
9 president of the United States, United States senator, United States
10 representative, governor, lieutenant governor, secretary of state,
11 state treasurer, state auditor, attorney general, commissioner of
12 public lands, superintendent of public instruction, insurance
13 commissioner, state senator, state representative, justice of the
14 supreme court, judge of the court of appeals, or judge of the superior
15 court. Candidates may also submit a campaign mailing address and
16 telephone number and a photograph not more than five years old and of
17 a size and quality that the secretary of state determines to be
18 suitable for reproduction in the voters' pamphlet;

19 (3) In odd-numbered years, if any office voted upon statewide
20 appears on the ballot due to a vacancy, then statements and photographs
21 for candidates for any vacant office listed in subsection (2) of this
22 section must appear;

23 (4) In even-numbered years, a section explaining how voters may
24 participate in the election campaign process; the address and telephone
25 number of the public disclosure commission established under RCW
26 42.17.350; and a summary of the disclosure requirements that apply when
27 contributions are made to candidates and political committees;

28 (5) In even-numbered years the name, address, and telephone number
29 of each political party with nominees listed in the pamphlet, if filed
30 with the secretary of state by the state committee of a major political
31 party or the presiding officer of the convention of a minor political
32 party;

33 (6) In each odd-numbered year immediately before a year in which a
34 president of the United States is to be nominated and elected,
35 information explaining the precinct caucus and convention process used
36 by each major political party to elect delegates to its national
37 presidential candidate nominating convention. The pamphlet must also
38 provide a description of the statutory procedures by which minor

1 political parties are formed and the statutory methods used by the
2 parties to nominate candidates for president;

3 (7) An application form for an absentee ballot;

4 (8) A brief statement explaining the deletion and addition of
5 language for proposed measures under RCW 29A.32.080;

6 (9) Any additional information pertaining to elections as may be
7 required by law or in the judgment of the secretary of state is deemed
8 informative to the voters.

9 NEW SECTION. **Sec. 122.** A new section is added to chapter 29A.32
10 RCW to read as follows:

11 If the secretary of state prints and distributes a voters' pamphlet
12 for a primary in an even-numbered year, it must contain:

13 (1) A description of the office of precinct committee officer and
14 its duties;

15 (2) An explanation that, for partisan offices, only voters who
16 choose to affiliate with a major political party may vote in that
17 party's primary election, and that voters must limit their
18 participation in a partisan primary to one political party; and

19 (3) An explanation that minor political party candidates and
20 independent candidates will appear only on the general election ballot.

21 NEW SECTION. **Sec. 123.** A new section is added to chapter 29A.32
22 RCW to read as follows:

23 The local voters' pamphlet shall include but not be limited to the
24 following:

25 (1) Appearing on the cover, the words "official local voters'
26 pamphlet," the name of the jurisdiction producing the pamphlet, and the
27 date of the election or primary;

28 (2) A list of jurisdictions that have measures or candidates in the
29 pamphlet;

30 (3) Information on how a person may register to vote and obtain an
31 absentee ballot;

32 (4) The text of each measure accompanied by an explanatory
33 statement prepared by the prosecuting attorney for any county measure
34 or by the attorney for the jurisdiction submitting the measure if other
35 than a county measure. All explanatory statements for city, town, or
36 district measures not approved by the attorney for the jurisdiction

1 submitting the measure shall be reviewed and approved by the county
2 prosecuting attorney or city attorney, when applicable, before
3 inclusion in the pamphlet;

4 (5) The arguments for and against each measure submitted by
5 committees selected pursuant to RCW 29A.32.280; and

6 (6) For partisan primary elections, information on how to vote the
7 applicable ballot format and an explanation that minor political party
8 candidates and independent candidates will appear only on the general
9 election ballot.

10 NEW SECTION. **Sec. 124.** A new section is added to chapter 29A.36
11 RCW to read as follows:

12 On or before the day following the last day for major political
13 parties to fill vacancies in the ticket as provided by section 191 of
14 this act, the secretary of state shall certify to each county auditor
15 a list of the candidates who have filed declarations of candidacy in
16 his or her office for the primary. For each office, the certificate
17 shall include the name of each candidate, his or her address, and his
18 or her party designation, if any. Minor political party and
19 independent candidates may appear only on the general election ballot.

20 NEW SECTION. **Sec. 125.** A new section is added to chapter 29A.36
21 RCW to read as follows:

22 Except for the candidates for the positions of president and vice
23 president, for a partisan or nonpartisan office for which no primary is
24 required, or for independent or minor party candidates, the names of
25 all candidates who, under this title, filed a declaration of candidacy
26 or were certified as a candidate to fill a vacancy on a major party
27 ticket will appear on the appropriate ballot at the primary throughout
28 the jurisdiction in which they are to be nominated.

29 NEW SECTION. **Sec. 126.** A new section is added to chapter 29A.36
30 RCW to read as follows:

31 Partisan primaries must be conducted using either:

32 (1) A consolidated ballot format that includes a major political
33 party identification check-off box that allows a voter to select from
34 a list of the major political parties the major political party with
35 which the voter chooses to affiliate. The consolidated ballot must

1 include all partisan races, nonpartisan races, and ballot measures to
2 be voted on at that primary; or

3 (2) A physically separate ballot format that includes both party
4 ballots and a nonpartisan ballot. A party ballot must be specific to
5 a particular major political party and may include only the partisan
6 offices to be voted on at that primary and the names of candidates for
7 those partisan offices who designated that same major political party
8 in their declarations of candidacy. The nonpartisan ballot must
9 include all nonpartisan races and ballot measures to be voted on at
10 that primary.

11 NEW SECTION. **Sec. 127.** A new section is added to chapter 29A.36
12 RCW to read as follows:

13 (1) If the consolidated ballot format is used, the major political
14 party identification check-off box must appear on the primary ballot
15 before all offices and ballot measures. Clear and concise instructions
16 to the voter must be prominently displayed immediately before the list
17 of major political parties, and must include:

18 (a) A question asking the voter to indicate the major political
19 party with which the voter chooses to affiliate;

20 (b) A statement that, for a major political party candidate, only
21 votes cast by voters who choose to affiliate with that same major
22 political party will be tabulated and reported;

23 (c) A statement that votes cast for a major political party
24 candidate by a voter who chooses to affiliate with a different major
25 political party will not be tabulated or reported;

26 (d) A statement that votes cast for a major political party
27 candidate by a voter who fails to select a major political party
28 affiliation will not be tabulated or reported;

29 (e) A statement that votes cast for a major political party
30 candidate by a voter who selects more than one major political party
31 with which to affiliate will not be tabulated or reported; and

32 (f) A statement that the party identification option will not
33 affect votes cast for candidates for nonpartisan offices, or for or
34 against ballot measures.

35 (2) If the physically separate ballot format is used, clear and
36 concise instructions to the voter must be prominently displayed, and
37 must include:

- 1 (a) A statement explaining that only one party ballot and one
2 nonpartisan ballot may be voted;
- 3 (b) A statement explaining that if more than one party ballot is
4 voted, none of the party ballots will be tabulated or reported;
- 5 (c) A statement explaining that a voter's affiliation with a major
6 political party will be inferred from the act of voting the party
7 ballot for that major political party; and
- 8 (d) A statement explaining that every eligible registered voter may
9 vote a nonpartisan ballot, regardless of any party affiliation on the
10 part of the voter.

11 NEW SECTION. **Sec. 128.** A new section is added to chapter 29A.36
12 RCW to read as follows:

13 Every ballot for a single combination of issues, offices, and
14 candidates shall be uniform within a precinct and shall identify the
15 type of primary or election, the county, and the date of the primary or
16 election, and the ballot or voting device shall contain instructions on
17 the proper method of recording a vote, including write-in votes. Each
18 position, together with the names of the candidates for that office,
19 shall be clearly separated from other offices or positions in the same
20 jurisdiction. The offices in each jurisdiction shall be clearly
21 separated from each other. No paper ballot or ballot card may be
22 marked in any way that would permit the identification of the person
23 who voted that ballot.

24 NEW SECTION. **Sec. 129.** A new section is added to chapter 29A.36
25 RCW to read as follows:

26 (1)(a) The positions or offices on a primary consolidated ballot
27 shall be arranged in substantially the following order: United States
28 senator; United States representative; governor; lieutenant governor;
29 secretary of state; state treasurer; state auditor; attorney general;
30 commissioner of public lands; superintendent of public instruction;
31 insurance commissioner; state senator; state representative; county
32 officers; justices of the supreme court; judges of the court of
33 appeals; judges of the superior court; and judges of the district
34 court. For all other jurisdictions on the primary consolidated ballot,
35 the offices in each jurisdiction shall be grouped together and be in
36 the order of the position numbers assigned to those offices, if any.

1 (b)(i) The positions or offices on a primary party ballot must be
2 arranged in substantially the following order: United States senator;
3 United States representative; governor; lieutenant governor; secretary
4 of state; state treasurer; state auditor; attorney general;
5 commissioner of public lands; insurance commissioner; state senator;
6 state representative; and partisan county officers. For all other
7 jurisdictions on the primary party ballot, the offices in each
8 jurisdiction must be grouped together and be in the order of the
9 position numbers assigned to those offices, if any.

10 (ii) The positions or offices on a primary nonpartisan ballot must
11 be arranged in substantially the following order: Superintendent of
12 public instruction; justices of the supreme court; judges of the court
13 of appeals; judges of the superior court; and judges of the district
14 court. For all other jurisdictions on the primary nonpartisan ballot,
15 the offices in each jurisdiction must be grouped together and be in the
16 order of the position numbers assigned to those offices, if any.

17 (2) The order of the positions or offices on an election ballot
18 shall be substantially the same as on a primary consolidated ballot
19 except that state ballot issues must be placed before all offices. The
20 offices of president and vice president of the United States shall
21 precede all other offices on a presidential election ballot. The
22 positions on a ballot to be assigned to ballot measures regarding local
23 units of government shall be established by the secretary of state by
24 rule.

25 (3) The political party or independent candidacy of each candidate
26 for partisan office shall be indicated next to the name of the
27 candidate on the primary and election ballot. A candidate shall file
28 a written notice with the filing officer within three business days
29 after the close of the filing period designating the political party to
30 be indicated next to the candidate's name on the ballot if either: (a)
31 The candidate has been nominated by two or more minor political parties
32 or independent conventions; or (b) the candidate has both filed a
33 declaration of candidacy declaring an affiliation with a major
34 political party and been nominated by a minor political party or
35 independent convention. If no written notice is filed the filing
36 officer shall give effect to the party designation shown upon the first
37 document filed. A candidate may be deemed nominated by a minor party
38 or independent convention only if all documentation required by chapter
39 29A.20 RCW has been timely filed.

1 NEW SECTION. **Sec. 130.** A new section is added to chapter 29A.36
2 RCW to read as follows:

3 After the close of business on the last day for candidates to file
4 for office, the filing officer shall, from among those filings made in
5 person and by mail, determine by lot the order in which the names of
6 those candidates will appear on all primary, sample, and absentee
7 ballots. The determination shall be done publicly and may be witnessed
8 by the media and by any candidate. If no primary is required for any
9 nonpartisan office under section 172 of this act or RCW 29A.52.220, or
10 if any independent or minor party candidate files a declaration of
11 candidacy, the names shall appear on the general election ballot in the
12 order determined by lot.

13 NEW SECTION. **Sec. 131.** A new section is added to chapter 29A.36
14 RCW to read as follows:

15 Except in each county with a population of one million or more, on
16 or before the fifteenth day before a primary or election, the county
17 auditor shall prepare a sample ballot which shall be made readily
18 available to members of the public. The secretary of state shall adopt
19 rules governing the preparation of sample ballots in counties with a
20 population of one million or more. The rules shall permit, among other
21 alternatives, the preparation of more than one sample ballot by a
22 county with a population of one million or more for a primary or
23 election, each of which lists a portion of the offices and issues to be
24 voted on in that county. The position of precinct committee officer
25 shall be shown on the sample ballot for the primary, but the names of
26 candidates for the individual positions need not be shown.

27 NEW SECTION. **Sec. 132.** A new section is added to chapter 29A.36
28 RCW to read as follows:

29 (1) On the top of each ballot must be printed clear and concise
30 instructions directing the voter how to mark the ballot, including
31 write-in votes. On the top of each primary ballot must be printed the
32 instructions required by this chapter.

33 (2) The questions of adopting constitutional amendments or any
34 other state measure authorized by law to be submitted to the voters at
35 that election must appear after the instructions and before any
36 offices.

1 (3) In a year that president and vice president appear on the
2 general election ballot, the names of candidates for president and vice
3 president for each political party must be grouped together with a
4 single response position for a voter to indicate his or her choice.

5 (4) On a general election ballot, the candidate or candidates of
6 the major political party that received the highest number of votes
7 from the electors of this state for the office of president of the
8 United States at the last presidential election must appear first
9 following the appropriate office heading. The candidate or candidates
10 of the other major political parties will follow according to the votes
11 cast for their nominees for president at the last presidential
12 election, and independent candidates and the candidate or candidates of
13 all other parties will follow in the order of their qualification with
14 the secretary of state.

15 (5) All paper ballots and ballot cards used at a polling place must
16 be sequentially numbered in such a way to permit removal of such
17 numbers without leaving any identifying marks on the ballot.

18 NEW SECTION. **Sec. 133.** A new section is added to chapter 29A.36
19 RCW to read as follows:

20 The name of a candidate for a partisan office for which a primary
21 was conducted shall not be printed on the ballot for that office at the
22 subsequent general election unless, at the preceding primary, the
23 candidate receives a number of votes equal to at least one percent of
24 the total number of votes cast for all candidates for that office and
25 a plurality of the votes cast by voters affiliated with that party for
26 candidates for that office affiliated with that party.

27 NEW SECTION. **Sec. 134.** A new section is added to chapter 29A.40
28 RCW to read as follows:

29 (1) The county auditor shall issue an absentee ballot for the
30 primary or election for which it was requested, or for the next
31 occurring primary or election when ongoing absentee status has been
32 requested if the information contained in a request for an absentee
33 ballot or ongoing absentee status received by the county auditor is
34 complete and correct and the applicant is qualified to vote under
35 federal or state law. Otherwise, the county auditor shall notify the
36 applicant of the reason or reasons why the request cannot be accepted.
37 Whenever two or more candidates have filed for the position of precinct

1 committee officer for the same party in the same precinct, the contest
2 for that position must be presented to absentee voters from that
3 precinct by either including the contest on the regular absentee ballot
4 or a separate absentee ballot. The ballot must provide space
5 designated for writing in the name of additional candidates.

6 (2) A registered voter may obtain a replacement ballot if the
7 ballot is destroyed, spoiled, lost, or not received by the voter. The
8 voter may obtain the ballot by telephone request, by mail,
9 electronically, or in person. The county auditor shall keep a record
10 of each replacement ballot provided under this subsection.

11 (3) A copy of the state voters' pamphlet must be sent to registered
12 voters temporarily outside the state, out-of-state voters, overseas
13 voters, and service voters along with the absentee ballot if such a
14 pamphlet has been prepared for the primary or election and is available
15 to the county auditor at the time of mailing. The county auditor shall
16 mail all absentee ballots and related material to voters outside the
17 territorial limits of the United States and the District of Columbia
18 under 39 U.S.C. 3406.

19 NEW SECTION. **Sec. 135.** A new section is added to chapter 29A.40
20 RCW to read as follows:

21 The county auditor shall send each absentee voter a ballot, a
22 security envelope in which to seal the ballot after voting, a larger
23 envelope in which to return the security envelope, and instructions on
24 how to mark the ballot and how to return it to the county auditor. The
25 instructions that accompany an absentee ballot for a partisan primary
26 must include instructions for voting the applicable ballot style, as
27 provided in chapter 29A.36 RCW. The larger return envelope must
28 contain a declaration by the absentee voter reciting his or her
29 qualifications and stating that he or she has not voted in any other
30 jurisdiction at this election, together with a summary of the penalties
31 for any violation of any of the provisions of this chapter. The return
32 envelope must provide space for the voter to indicate the date on which
33 the ballot was voted and for the voter to sign the oath. A summary of
34 the applicable penalty provisions of this chapter must be printed on
35 the return envelope immediately adjacent to the space for the voter's
36 signature. The signature of the voter on the return envelope must
37 affirm and attest to the statements regarding the qualifications of
38 that voter and to the validity of the ballot. For out-of-state voters,

1 overseas voters, and service voters, the signed declaration on the
2 return envelope constitutes the equivalent of a voter registration for
3 the election or primary for which the ballot has been issued. The
4 voter must be instructed to either return the ballot to the county
5 auditor by whom it was issued or attach sufficient first class postage,
6 if applicable, and mail the ballot to the appropriate county auditor no
7 later than the day of the election or primary for which the ballot was
8 issued.

9 If the county auditor chooses to forward absentee ballots, he or
10 she must include with the ballot a clear explanation of the
11 qualifications necessary to vote in that election and must also advise
12 a voter with questions about his or her eligibility to contact the
13 county auditor. This explanation may be provided on the ballot
14 envelope, on an enclosed insert, or printed directly on the ballot
15 itself. If the information is not included, the envelope must clearly
16 indicate that the ballot is not to be forwarded and that return postage
17 is guaranteed.

18 NEW SECTION. **Sec. 136.** A new section is added to chapter 29A.44
19 RCW to read as follows:

20 A voter desiring to vote shall give his or her name to the precinct
21 election officer who has the precinct list of registered voters. This
22 officer shall announce the name to the precinct election officer who
23 has the copy of the inspector's poll book for that precinct. If the
24 right of this voter to participate in the primary or election is not
25 challenged, the voter must be issued a ballot or permitted to enter a
26 voting booth or to operate a voting device. For a partisan primary in
27 a jurisdiction using the physically separate ballot format, the voter
28 must be issued a nonpartisan ballot and each party ballot. The number
29 of the ballot or the voter must be recorded by the precinct election
30 officers. If the right of the voter to participate is challenged, RCW
31 29A.08.810 and 29A.08.820 apply to that voter.

32 NEW SECTION. **Sec. 137.** A new section is added to chapter 29A.44
33 RCW to read as follows:

34 On signing the precinct list of registered voters or being issued
35 a ballot, the voter shall, without leaving the polling place or
36 disability access location, proceed to one of the voting booths or
37 voting devices to cast his or her vote. When county election

1 procedures so provide, the election officers may tear off and retain
2 the numbered stub from the ballot before delivering it to the voter.
3 If an election officer has not already done so, when the voter has
4 finished, he or she shall either (1) remove the numbered stub from the
5 ballot, place the ballot in the ballot box, and return the number to
6 the election officers, or (2) deliver the entire ballot to the election
7 officers, who shall remove the numbered stub from the ballot and place
8 the ballot in the ballot box. For a partisan primary in a jurisdiction
9 using the physically separate ballot format, the voter shall also
10 return unvoted party ballots to the precinct election officers, who
11 shall void the unvoted party ballots and return them to the county
12 auditor. If poll-site ballot counting devices are used, the voter
13 shall put the ballot in the device.

14 NEW SECTION. **Sec. 138.** A new section is added to chapter 29A.44
15 RCW to read as follows:

16 As each voter casts his or her vote, the precinct election officers
17 shall insert in the poll books or precinct list of registered voters
18 opposite that voter's name, a notation to credit the voter with having
19 participated in that primary or election. No record may be made of a
20 voter's party affiliation in a partisan primary. The precinct election
21 officers shall record the voter's name so that a separate record is
22 kept.

23 NEW SECTION. **Sec. 139.** A new section is added to chapter 29A.52
24 RCW to read as follows:

25 Major political party candidates for all partisan elected offices,
26 except for president and vice president, precinct committee officer,
27 and offices exempted from the primary under section 172 of this act,
28 must be nominated at primaries held under this chapter.

29 NEW SECTION. **Sec. 140.** A new section is added to chapter 29A.52
30 RCW to read as follows:

31 It is the intent of the legislature to create a primary for all
32 partisan elected offices, except for president and vice president,
33 precinct committee officer, and offices exempted from the primary under
34 section 172 of this act, that:

- 35 (1) Allows each voter to participate;
36 (2) Preserves the privacy of each voter's party affiliation;

- 1 (3) Rejects mandatory voter registration by political party;
- 2 (4) Protects ballot access for all candidates, including minor
- 3 political party and independent candidates;
- 4 (5) Maintains a candidate's right to self-identify with any major
- 5 political party; and
- 6 (6) Upholds a political party's First Amendment right of
- 7 association.

8 NEW SECTION. **Sec. 141.** A new section is added to chapter 29A.52
9 RCW to read as follows:

10 Instructions for voting a consolidated ballot or a physically
11 separate ballot, whichever is applicable, must appear, at the very
12 least, in:

- 13 (1) Any primary voters' pamphlet prepared by the secretary of state
- 14 or a local government if a partisan office will appear on the ballot;
- 15 (2) Instructions that accompany any partisan primary ballot;
- 16 (3) Any notice of a partisan primary published in compliance with
- 17 section 145 of this act;
- 18 (4) A sample ballot prepared by a county auditor under section 131
- 19 of this act for a partisan primary;
- 20 (5) The web site of the office of the secretary of state and any
- 21 existing web site of a county auditor's office; and
- 22 (6) Every polling place.

23 NEW SECTION. **Sec. 142.** A new section is added to chapter 29A.52
24 RCW to read as follows:

- 25 (1) Under a consolidated ballot format:
 - 26 (a) Votes for a major political party candidate will only be
 - 27 tabulated and reported if cast by voters who choose to affiliate with
 - 28 that same major political party;
 - 29 (b) Votes cast for a major political party candidate by a voter who
 - 30 chooses to affiliate with a different major political party may not be
 - 31 tabulated or reported;
 - 32 (c) Votes cast for a major political party candidate by a voter who
 - 33 fails to select a major political party affiliation may not be
 - 34 tabulated or reported;
 - 35 (d) Votes cast for a major political party candidate by a voter who
 - 36 selects more than one major political party with which to affiliate may
 - 37 not be tabulated or reported; and

1 (e) Votes properly cast may not be affected by votes improperly
2 cast for other races.

3 (2) Under a physically separate ballot format:

4 (a) Only one party ballot and one nonpartisan ballot may be voted;

5 (b) If more than one party ballot is voted, none of the ballots
6 will be tabulated or reported;

7 (c) A voter's affiliation with a major political party will be
8 inferred from the act of voting the party ballot for that major
9 political party; and

10 (d) Every eligible registered voter may vote a nonpartisan ballot.

11 NEW SECTION. **Sec. 143.** A new section is added to chapter 29A.52
12 RCW to read as follows:

13 So far as applicable, the provisions of this title relating to
14 conducting general elections govern the conduct of primaries.

15 NEW SECTION. **Sec. 144.** A new section is added to chapter 29A.52
16 RCW to read as follows:

17 Nothing in this chapter may be construed to mean that a voter may
18 cast more than one vote for candidates for a given office.

19 NEW SECTION. **Sec. 145.** A new section is added to chapter 29A.52
20 RCW to read as follows:

21 Not more than ten nor less than three days before the primary the
22 county auditor shall publish notice of such primary in one or more
23 newspapers of general circulation within the county. The notice must
24 contain the proper party designations, the names and addresses of all
25 persons who have filed a declaration of candidacy to be voted upon at
26 that primary, instructions for voting the applicable ballot, as
27 provided in chapter 29A.36 RCW, the hours during which the polls will
28 be open, and the polling places for each precinct, giving the address
29 of each polling place. The names of all candidates for nonpartisan
30 offices must be published separately with designation of the offices
31 for which they are candidates but without party designation. This is
32 the only notice required for the holding of any primary.

33 NEW SECTION. **Sec. 146.** A new section is added to chapter 29A.52
34 RCW to read as follows:

35 No later than the day following the certification of the returns of

1 any primary, the secretary of state shall certify to the appropriate
2 county auditors the names of all persons nominated for offices at a
3 primary, or at an independent candidate or minor party convention.

4 NEW SECTION. **Sec. 147.** A new section is added to chapter 29A.60
5 RCW to read as follows:

6 (1) For any office at any election or primary, any voter may write
7 in on the ballot the name of any person for an office who has filed as
8 a write-in candidate for the office in the manner provided by section
9 117 of this act and such vote shall be counted the same as if the name
10 had been printed on the ballot and marked by the voter. For a partisan
11 primary in a jurisdiction using the physically separate ballot format,
12 a voter may write in on a party ballot only the names of write-in
13 candidates who affiliate with that major political party. No write-in
14 vote made for any person who has not filed a declaration of candidacy
15 pursuant to section 117 of this act is valid if that person filed for
16 the same office, either as a regular candidate or a write-in candidate,
17 at the preceding primary. Any abbreviation used to designate office,
18 position, or political party shall be accepted if the canvassing board
19 can determine, to their satisfaction, the voter's intent.

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

22 (3) Write-in votes cast for an individual candidate for an office
23 need not be tallied if the total number of write-in votes and under
24 votes recorded by the vote tabulation system for the office is not
25 greater than the number of votes cast for the candidate apparently
26 nominated or elected, and the write-in votes could not have altered the
27 outcome of the primary or election. In the case of write-in votes for
28 statewide office or for any office whose jurisdiction encompasses more
29 than one county, write-in votes for an individual candidate must be
30 tallied whenever the county auditor is notified by either the office of
31 the secretary of state or another auditor in a multicounty jurisdiction
32 that it appears that the write-in votes could alter the outcome of the
33 primary or election.

34 (4) In the case of statewide offices or jurisdictions that
35 encompass more than one county, if the total number of write-in votes
36 and under votes recorded by the vote tabulation system for an office
37 within a county is greater than the number of votes cast for a
38 candidate apparently nominated or elected in a primary or election, the

1 auditor shall tally all write-in votes for individual candidates for
2 that office and notify the office of the secretary of state and the
3 auditors of the other counties within the jurisdiction, that the write-
4 in votes for individual candidates should be tallied.

5 NEW SECTION. **Sec. 148.** A new section is added to chapter 29A.80
6 RCW to read as follows:

7 Any member of a major political party who is a registered voter in
8 the precinct may upon payment of a fee of one dollar file his or her
9 declaration of candidacy as prescribed under section 158 of this act
10 with the county auditor for the office of precinct committee officer of
11 his or her party in that precinct. When elected at the primary, the
12 precinct committee officer shall serve so long as the committee officer
13 remains an eligible voter in that precinct.

14 NEW SECTION. **Sec. 149.** A new section is added to chapter 29A.80
15 RCW to read as follows:

16 The statutory requirements for filing as a candidate at the
17 primaries apply to candidates for precinct committee officer. The
18 office must be voted upon at the primaries, and the names of all
19 candidates must appear under the proper party and office designations
20 on the ballot for the primary for each even-numbered year, and the one
21 receiving the highest number of votes will be declared elected.
22 However, to be declared elected, a candidate must receive at least ten
23 percent of the number of votes cast for the candidate of the
24 candidate's party receiving the greatest number of votes in the
25 precinct. The term of office of precinct committee officer is two
26 years, commencing the first day of December following the primary.

27 NEW SECTION. **Sec. 150.** A new section is added to chapter 29A.80
28 RCW to read as follows:

29 Within forty-five days after the statewide general election in
30 even-numbered years, the county chair of each major political party
31 shall call separate meetings of all elected precinct committee officers
32 in each legislative district for the purpose of electing a legislative
33 district chair in such district. The district chair shall hold office
34 until the next legislative district reorganizational meeting two years
35 later, or until a successor is elected.

1 The legislative district chair may be removed only by the majority
2 vote of the elected precinct committee officers in the chair's
3 district.

4 NEW SECTION. **Sec. 151.** A new section is added to chapter 29A.04
5 RCW to read as follows:

6 The secretary of state as chief election officer shall make
7 reasonable rules in accordance with chapter 34.05 RCW not inconsistent
8 with the federal and state election laws to effectuate any provision of
9 this title and to facilitate the execution of its provisions in an
10 orderly, timely, and uniform manner relating to any federal, state,
11 county, city, town, and district elections. To that end the secretary
12 shall assist local election officers by devising uniform forms and
13 procedures.

14 In addition to the rule-making authority granted otherwise by this
15 section, the secretary of state shall make rules governing the
16 following provisions:

- 17 (1) The maintenance of voter registration records;
- 18 (2) The preparation, maintenance, distribution, review, and filing
19 of precinct maps;
- 20 (3) Standards for the design, layout, and production of ballots;
- 21 (4) The examination and testing of voting systems for
22 certification;
- 23 (5) The source and scope of independent evaluations of voting
24 systems that may be relied upon in certifying voting systems for use in
25 this state;
- 26 (6) Standards and procedures for the acceptance testing of voting
27 systems by counties;
- 28 (7) Standards and procedures for testing the programming of vote
29 tallying software for specific primaries and elections;
- 30 (8) Standards and procedures for the preparation and use of each
31 type of certified voting system including procedures for the operation
32 of counting centers where vote tallying systems are used;
- 33 (9) Standards and procedures to ensure the accurate tabulation and
34 canvassing of ballots;
- 35 (10) Consistency among the counties of the state in the preparation
36 of ballots, the operation of vote tallying systems, and the canvassing
37 of primaries and elections;

- 1 (11) Procedures to ensure the secrecy of a voter's ballot when a
2 small number of ballots are counted at the polls or at a counting
3 center;
- 4 (12) The use of substitute devices or means of voting when a voting
5 device at the polling place is found to be defective, the counting of
6 votes cast on the defective device, the counting of votes cast on the
7 substitute device, and the documentation that must be submitted to the
8 county auditor regarding such circumstances;
- 9 (13) Procedures for the transportation of sealed containers of
10 voted ballots or sealed voting devices;
- 11 (14) The acceptance and filing of documents via electronic
12 facsimile;
- 13 (15) Voter registration applications and records;
- 14 (16) The use of voter registration information in the conduct of
15 elections;
- 16 (17) The coordination, delivery, and processing of voter
17 registration records accepted by driver licensing agents or the
18 department of licensing;
- 19 (18) The coordination, delivery, and processing of voter
20 registration records accepted by agencies designated by the governor to
21 provide voter registration services;
- 22 (19) Procedures to receive and distribute voter registration
23 applications by mail;
- 24 (20) Procedures for a voter to change his or her voter registration
25 address within a county by telephone;
- 26 (21) Procedures for a voter to change the name under which he or
27 she is registered to vote;
- 28 (22) Procedures for canceling dual voter registration records and
29 for maintaining records of persons whose voter registrations have been
30 canceled;
- 31 (23) Procedures for the electronic transfer of voter registration
32 records between county auditors and the office of the secretary of
33 state;
- 34 (24) Procedures and forms for declarations of candidacy;
- 35 (25) Procedures and requirements for the acceptance and filing of
36 declarations of candidacy by electronic means;
- 37 (26) Procedures for the circumstance in which two or more
38 candidates have a name similar in sound or spelling so as to cause
39 confusion for the voter;

- 1 (27) Filing for office;
- 2 (28) The order of positions and offices on a ballot;
- 3 (29) Sample ballots;
- 4 (30) Independent evaluations of voting systems;
- 5 (31) The testing, approval, and certification of voting systems;
- 6 (32) The testing of vote tallying software programming;
- 7 (33) Standards and procedures to prevent fraud and to facilitate
- 8 the accurate processing and canvassing of absentee ballots and mail
- 9 ballots;
- 10 (34) Standards and procedures to guarantee the secrecy of absentee
- 11 ballots and mail ballots;
- 12 (35) Uniformity among the counties of the state in the conduct of
- 13 absentee voting and mail ballot elections;
- 14 (36) Standards and procedures to accommodate out-of-state voters,
- 15 overseas voters, and service voters;
- 16 (37) The tabulation of paper ballots before the close of the polls;
- 17 (38) The accessibility of polling places and registration
- 18 facilities that are accessible to elderly and disabled persons;
- 19 (39) The aggregation of precinct results if reporting the results
- 20 of a single precinct could jeopardize the secrecy of a person's ballot;
- 21 (40) Procedures for conducting a statutory recount;
- 22 (41) Procedures for filling vacancies in congressional offices if
- 23 the general statutory time requirements for availability of absentee
- 24 ballots, certification, canvassing, and related procedures cannot be
- 25 met;
- 26 (42) Procedures for the statistical sampling of signatures for
- 27 purposes of verifying and canvassing signatures on initiative,
- 28 referendum, and recall election petitions;
- 29 (43) Standards and deadlines for submitting material to the office
- 30 of the secretary of state for the voters' pamphlet;
- 31 (44) Deadlines for the filing of ballot titles for referendum bills
- 32 and constitutional amendments if none have been provided by the
- 33 legislature;
- 34 (45) Procedures for the publication of a state voters' pamphlet;
- 35 (46) Procedures for conducting special elections regarding nuclear
- 36 waste sites if the general statutory time requirements for availability
- 37 of absentee ballots, certification, canvassing, and related procedures
- 38 cannot be met;
- 39 (47) Procedures for conducting partisan primary elections;

1 (48) Standards and procedures for the proper conduct of voting
2 during the early voting period to provide accessibility for the blind
3 or visually impaired;

4 (49) Standards for voting technology and systems used by the state
5 or any political subdivision to be accessible for individuals with
6 disabilities, including nonvisual accessibility for the blind and
7 visually impaired, in a manner that provides the same opportunity for
8 access and participation, including privacy and independence, as other
9 voters;

10 (50) All data formats for transferring voter registration data on
11 electronic or machine-readable media for the purpose of administering
12 the statewide voter registration list required by the Help America Vote
13 Act (P.L. 107-252);

14 (51) Defining the interaction of electronic voter registration
15 election management systems employed by each county auditor to maintain
16 a local copy of each county's portion of the official state list of
17 registered voters;

18 (52) Provisions and procedures to implement the state-based
19 administrative complaint procedure as required by the Help America Vote
20 Act (P.L. 107-252); and

21 (53) Facilitating the payment of local government grants to local
22 government election officers or vendors.

23 NEW SECTION. **Sec. 152.** A new section is added to chapter 29A.04
24 RCW to read as follows:

25 "Primary" or "primary election" means a statutory procedure for
26 nominating candidates to public office at the polls.

27 NEW SECTION. **Sec. 153.** A new section is added to chapter 29A.20
28 RCW to read as follows:

29 (1) A person filing a declaration of candidacy for an office shall,
30 at the time of filing, be a registered voter and possess the
31 qualifications specified by law for persons who may be elected to the
32 office.

33 (2) Excluding the office of precinct committee officer or a
34 temporary elected position such as a charter review board member or
35 freeholder, no person may file for more than one office.

36 (3) The name of a candidate for an office shall not appear on a
37 ballot for that office unless, except as provided in RCW 3.46.067 and

1 3.50.057, the candidate is, at the time the candidate's declaration of
2 candidacy is filed, properly registered to vote in the geographic area
3 represented by the office. For the purposes of this section, each
4 geographic area in which registered voters may cast ballots for an
5 office is represented by that office. If a person elected to an office
6 must be nominated from a district or similar division of the geographic
7 area represented by the office, the name of a candidate for the office
8 shall not appear on a primary ballot for that office unless the
9 candidate is, at the time the candidate's declaration of candidacy is
10 filed, properly registered to vote in that district or division. The
11 officer with whom declarations of candidacy must be filed under this
12 title shall review each such declaration filed regarding compliance
13 with this subsection.

14 (4) The requirements of voter registration and residence within the
15 geographic area of a district do not apply to candidates for
16 congressional office. Qualifications for the United States congress
17 are specified in the United States Constitution.

18 NEW SECTION. **Sec. 154.** A new section is added to chapter 29A.20
19 RCW to read as follows:

20 A certificate evidencing nominations made at a convention must:

21 (1) Be in writing;

22 (2) Contain the name of each person nominated, his or her
23 residence, and the office for which he or she is named, and if the
24 nomination is for the offices of president and vice president of the
25 United States, a sworn statement from both nominees giving their
26 consent to the nomination;

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

29 (4) Be verified by the oath of the presiding officer and secretary;

30 (5) Be accompanied by a nominating petition or petitions bearing
31 the signatures and addresses of registered voters equal in number to
32 that required by section 111 of this act;

33 (6) Contain proof of publication of the notice of calling the
34 convention; and

35 (7) Be submitted to the appropriate filing officer not later than
36 one week following the adjournment of the convention at which the
37 nominations were made. If the nominations are made only for offices
38 whose jurisdiction is entirely within one county, the certificate and

1 nominating petitions must be filed with the county auditor. If a minor
2 party or independent candidate convention nominates any candidates for
3 offices whose jurisdiction encompasses more than one county, all
4 nominating petitions and the convention certificates must be filed with
5 the secretary of state.

6 NEW SECTION. **Sec. 155.** A new section is added to chapter 29A.20
7 RCW to read as follows:

8 (1) If two or more valid certificates of nomination are filed
9 purporting to nominate different candidates for the same position using
10 the same party name, the filing officer must give effect to both
11 certificates. If conflicting claims to the party name are not resolved
12 either by mutual agreement or by a judicial determination of the right
13 to the name, the candidates must be treated as independent candidates.
14 Disputes over the right to the name must not be permitted to delay the
15 printing of either ballots or a voters' pamphlet. Other candidates
16 nominated by the same conventions may continue to use the partisan
17 affiliation unless a court of competent jurisdiction directs otherwise.

18 (2) A person affected may petition the superior court of the county
19 in which the filing officer is located for a judicial determination of
20 the right to the name of a minor political party, either before or
21 after documents are filed with the filing officer. The court shall
22 resolve the conflict between competing claims to the use of the same
23 party name according to the following principles: (a) The prior
24 established public use of the name during previous elections by a party
25 composed of or led by the same individuals or individuals in documented
26 succession; (b) prior established public use of the name earlier in the
27 same election cycle; (c) the nomination of a more complete slate of
28 candidates for a number of offices or in a number of different regions
29 of the state; (d) documented affiliation with a national or statewide
30 party organization with an established use of the name; (e) the first
31 date of filing of a certificate of nomination; and (f) such other
32 indicia of an established right to use of the name as the court may
33 deem relevant. If more than one filing officer is involved, and one of
34 them is the secretary of state, the petition must be filed in the
35 superior court for Thurston county. Upon resolving the conflict
36 between competing claims, the court may also address any ballot
37 designation for the candidate who does not prevail.

1 NEW SECTION. **Sec. 156.** A new section is added to chapter 29A.20
2 RCW to read as follows:

3 A minor political party or independent candidate convention
4 nominating candidates for the offices of president and vice president
5 of the United States shall, not later than ten days after the
6 adjournment of the convention, submit a list of presidential electors
7 to the office of the secretary of state. The list shall contain the
8 names and the mailing addresses of the persons selected and shall be
9 verified by the presiding officer of the convention.

10 NEW SECTION. **Sec. 157.** A new section is added to chapter 29A.20
11 RCW to read as follows:

12 Upon the receipt of the certificate of nomination, the officer with
13 whom it is filed shall check the certificate and canvass the signatures
14 on the accompanying nominating petitions to determine if the
15 requirements of section 111 of this act have been met. Once the
16 determination has been made, the filing officer shall notify the
17 presiding officer of the convention and any other persons requesting
18 the notification, of his or her decision regarding the sufficiency of
19 the certificate or the nominating petitions. Any appeal regarding the
20 filing officer's determination must be filed with the superior court of
21 the county in which the certificate or petitions were filed not later
22 than five days from the date the determination is made, and shall be
23 heard and finally disposed of by the court within five days of the
24 filing. Nominating petitions shall not be available for public
25 inspection or copying.

26 NEW SECTION. **Sec. 158.** A new section is added to chapter 29A.24
27 RCW to read as follows:

28 A candidate who desires to have his or her name printed on the
29 ballot for election to an office other than president of the United
30 States, vice president of the United States, or an office for which
31 ownership of property is a prerequisite to voting shall complete and
32 file a declaration of candidacy. The secretary of state shall adopt,
33 by rule, a declaration of candidacy form for the office of precinct
34 committee officer and a separate standard form for candidates for all
35 other offices filing under this chapter. Included on the standard form
36 shall be:

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

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

6 (3) A place for the candidate to indicate a party designation, if
7 applicable;

8 (4) A place for the candidate to indicate the amount of the filing
9 fee accompanying the declaration of candidacy or for the candidate to
10 indicate that he or she is filing a nominating petition in lieu of the
11 filing fee under section 160 of this act;

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

17 In the case of a declaration of candidacy filed electronically,
18 submission of the form constitutes agreement that the information
19 provided with the filing is true, that he or she will support the
20 Constitutions and laws of the United States and the state of
21 Washington, and that he or she agrees to electronic payment of the
22 filing fee established in section 160 of this act.

23 The secretary of state may require any other information on the
24 form he or she deems appropriate to facilitate the filing process.

25 NEW SECTION. **Sec. 159.** A new section is added to chapter 29A.24
26 RCW to read as follows:

27 Any candidate may mail his or her declaration of candidacy for an
28 office to the filing officer. Such declarations of candidacy shall be
29 processed by the filing officer in the following manner:

30 (1) Any declaration received by the filing officer by mail before
31 the tenth business day immediately preceding the first day for
32 candidates to file for office shall be returned to the candidate
33 submitting it, together with a notification that the declaration of
34 candidacy was received too early to be processed. The candidate shall
35 then be permitted to resubmit his or her declaration of candidacy
36 during the filing period.

37 (2) Any properly executed declaration of candidacy received by mail
38 on or after the tenth business day immediately preceding the first day

1 for candidates to file for office and before the close of business on
2 the last day of the filing period shall be included with filings made
3 in person during the filing period. In partisan and judicial elections
4 the filing officer shall determine by lot the order in which the names
5 of those candidates shall appear upon sample and absentee primary
6 ballots.

7 (3) Any declaration of candidacy received by the filing officer
8 after the close of business on the last day for candidates to file for
9 office shall be rejected and returned to the candidate attempting to
10 file it.

11 NEW SECTION. **Sec. 160.** A new section is added to chapter 29A.24
12 RCW to read as follows:

13 A filing fee of one dollar shall accompany each declaration of
14 candidacy for precinct committee officer; a filing fee of ten dollars
15 shall accompany the declaration of candidacy for any office with a
16 fixed annual salary of one thousand dollars or less; a filing fee equal
17 to one percent of the annual salary of the office at the time of filing
18 shall accompany the declaration of candidacy for any office with a
19 fixed annual salary of more than one thousand dollars per annum. No
20 filing fee need accompany a declaration of candidacy for any office for
21 which compensation is on a per diem or per meeting attended basis.

22 A candidate who lacks sufficient assets or income at the time of
23 filing to pay the filing fee required by this section shall submit with
24 his or her declaration of candidacy a nominating petition. The
25 petition shall contain not less than a number of signatures of
26 registered voters equal to the number of dollars of the filing fee.
27 The signatures shall be of voters registered to vote within the
28 jurisdiction of the office for which the candidate is filing.

29 When the candidacy is for:

30 (1) A legislative or judicial office that includes territory from
31 more than one county, the fee shall be paid to the secretary of state
32 for equal division between the treasuries of the counties comprising
33 the district.

34 (2) A city or town office, the fee shall be paid to the county
35 auditor who shall transmit it to the city or town clerk for deposit in
36 the city or town treasury.

1 NEW SECTION. **Sec. 161.** A new section is added to chapter 29A.24
2 RCW to read as follows:

3 Nominating petitions may be rejected for the following reasons:
4 (1) The petition is not in the proper form;
5 (2) The petition clearly bears insufficient signatures;
6 (3) The petition is not accompanied by a declaration of candidacy;
7 (4) The time within which the petition and the declaration of
8 candidacy could have been filed has expired.

9 If the petition is accepted, the officer with whom it is filed
10 shall canvass the signatures contained on it and shall reject the
11 signatures of those persons who are not registered voters and the
12 signatures of those persons who are not registered to vote within the
13 jurisdiction of the office for which the nominating petition is filed.
14 He or she shall additionally reject any signature that appears on the
15 nominating petitions of two or more candidates for the same office and
16 shall also reject, each time it appears, the name of any person who
17 signs the same petition more than once.

18 If the officer with whom the petition is filed refuses to accept
19 the petition or refuses to certify the petition as bearing sufficient
20 valid signatures, the person filing the petition may appeal that action
21 to the superior court. The application for judicial review shall take
22 precedence over other cases and matters and shall be speedily heard and
23 determined.

24 NEW SECTION. **Sec. 162.** A new section is added to chapter 29A.24
25 RCW to read as follows:

26 A void in candidacy for a nonpartisan office occurs when an
27 election for such office, except for the short term, has been scheduled
28 and no valid declaration of candidacy has been filed for the position
29 or all persons filing such valid declarations of candidacy have died or
30 been disqualified.

31 NEW SECTION. **Sec. 163.** A new section is added to chapter 29A.24
32 RCW to read as follows:

33 The election officer with whom declarations of candidacy are filed
34 shall give notice of a void in candidacy for a nonpartisan office, by
35 notifying press, radio, and television in the county and by such other
36 means as may now or hereafter be provided by law. The notice shall

1 state the office, and the time and place for filing declarations of
2 candidacy.

3 NEW SECTION. **Sec. 164.** A new section is added to chapter 29A.24
4 RCW to read as follows:

5 Filings to fill a void in candidacy for nonpartisan office must be
6 made in the same manner and with the same official as required during
7 the regular filing period for such office, except that nominating
8 signature petitions that may be required of candidates filing for
9 certain district offices during the normal filing period may not be
10 required of candidates filing during the special three-day filing
11 period.

12 NEW SECTION. **Sec. 165.** A new section is added to chapter 29A.24
13 RCW to read as follows:

14 Filings for a nonpartisan office shall be reopened for a period of
15 three normal business days, such three day period to be fixed by the
16 election officer with whom such declarations of candidacy are filed and
17 notice thereof given by notifying press, radio, and television in the
18 county and by such other means as may now or hereafter be provided by
19 law whenever before the sixth Tuesday prior to a primary:

- 20 (1) A void in candidacy occurs;
- 21 (2) A vacancy occurs in any nonpartisan office leaving an unexpired
22 term to be filled by an election for which filings have not been held;
23 or
- 24 (3) A nominee for judge of the superior court entitled to a
25 certificate of election pursuant to Article 4, section 29, Amendment 41
26 of the state Constitution, dies or is disqualified.

27 Candidacies validly filed within said three-day period shall appear
28 on the ballot as if made during the earlier filing period.

29 NEW SECTION. **Sec. 166.** A new section is added to chapter 29A.24
30 RCW to read as follows:

31 Filings for a nonpartisan office (other than judge of the supreme
32 court or superintendent of public instruction) shall be reopened for a
33 period of three normal business days, such three day period to be fixed
34 by the election officer with whom such declarations of candidacy are
35 filed and notice thereof given by notifying press, radio, and

1 television in the county and by such other means as may now or
2 hereafter be provided by law, when:

3 (1) A void in candidacy for such nonpartisan office occurs on or
4 after the sixth Tuesday prior to a primary but prior to the sixth
5 Tuesday before an election; or

6 (2) A nominee for judge of the superior court eligible after a
7 contested primary for a certificate of election by Article 4, section
8 29, Amendment 41 of the state Constitution, dies or is disqualified
9 within the ten day period immediately following the last day allotted
10 for a candidate to withdraw; or

11 (3) A vacancy occurs in any nonpartisan office on or after the
12 sixth Tuesday prior to a primary but prior to the sixth Tuesday before
13 an election leaving an unexpired term to be filled by an election for
14 which filings have not been held.

15 The candidate receiving a plurality of the votes cast for that
16 office in the general election shall be deemed elected.

17 NEW SECTION. **Sec. 167.** A new section is added to chapter 29A.24
18 RCW to read as follows:

19 A scheduled election shall be lapsed, the office deemed stricken
20 from the ballot, no purported write-in votes counted, and no candidate
21 certified as elected, when:

22 (1) In an election for judge of the supreme court or superintendent
23 of public instruction, a void in candidacy occurs on or after the sixth
24 Tuesday prior to a primary, public filings and the primary being an
25 indispensable phase of the election process for such offices;

26 (2) Except as otherwise specified in section 166 of this act, a
27 nominee for judge of the superior court entitled to a certificate of
28 election pursuant to Article 4, section 29, Amendment 41 of the state
29 Constitution dies or is disqualified on or after the sixth Tuesday
30 prior to a primary;

31 (3) In other elections for nonpartisan office a void in candidacy
32 occurs or a vacancy occurs involving an unexpired term to be filled on
33 or after the sixth Tuesday prior to an election.

34 NEW SECTION. **Sec. 168.** A new section is added to chapter 29A.32
35 RCW to read as follows:

36 (1) The maximum number of words for statements submitted by
37 candidates is as follows: State representative, one hundred words;

1 state senator, judge of the superior court, judge of the court of
2 appeals, justice of the supreme court, and all state offices voted upon
3 throughout the state, except that of governor, two hundred words;
4 president and vice president, United States senator, United States
5 representative, and governor, three hundred words.

6 (2) Arguments written by committees under RCW 29A.32.060 may not
7 exceed two hundred fifty words in length.

8 (3) Rebuttal arguments written by committees may not exceed
9 seventy-five words in length.

10 (4) The secretary of state shall allocate space in the pamphlet
11 based on the number of candidates or nominees for each office.

12 NEW SECTION. **Sec. 169.** A new section is added to chapter 29A.36
13 RCW to read as follows:

14 (1) Except as provided to the contrary in RCW 82.14.036, 82.46.021,
15 or 82.80.090, the ballot title of any referendum filed on an enactment
16 or portion of an enactment of a local government and any other question
17 submitted to the voters of a local government consists of three
18 elements: (a) An identification of the enacting legislative body and
19 a statement of the subject matter; (b) a concise description of the
20 measure; and (c) a question. The ballot title must conform with the
21 requirements and be displayed substantially as provided under RCW
22 29A.72.050, except that the concise description must not exceed
23 seventy-five words. If the local governmental unit is a city or a
24 town, the concise statement shall be prepared by the city or town
25 attorney. If the local governmental unit is a county, the concise
26 statement shall be prepared by the prosecuting attorney of the county.
27 If the unit is a unit of local government other than a city, town, or
28 county, the concise statement shall be prepared by the prosecuting
29 attorney of the county within which the majority area of the unit is
30 located.

31 (2) A referendum measure on the enactment of a unit of local
32 government shall be advertised in the manner provided for nominees for
33 elective office.

34 (3) Subsection (1) of this section does not apply if another
35 provision of law specifies the ballot title for a specific type of
36 ballot question or proposition.

1 NEW SECTION. **Sec. 170.** A new section is added to chapter 29A.36
2 RCW to read as follows:

3 (1) Except as provided in RCW 29A.36.180 and in subsection (2) of
4 this section, on the ballot at the general election for a nonpartisan
5 office for which a primary was held, only the names of the candidate
6 who received the greatest number of votes and the candidate who
7 received the next greatest number of votes for that office shall appear
8 under the title of that office, and the names shall appear in that
9 order. If a primary was conducted, no candidate's name may be printed
10 on the subsequent general election ballot unless he or she receives at
11 least one percent of the total votes cast for that office at the
12 preceding primary. On the ballot at the general election for any other
13 nonpartisan office for which no primary was held, the names of the
14 candidates shall be listed in the order determined under section 130 of
15 this act.

16 (2) On the ballot at the general election for the office of justice
17 of the supreme court, judge of the court of appeals, judge of the
18 superior court, judge of the district court, or state superintendent of
19 public instruction, if a candidate in a contested primary receives a
20 majority of all the votes cast for that office or position, only the
21 name of that candidate may be printed under the title of the office for
22 that position.

23 NEW SECTION. **Sec. 171.** A new section is added to chapter 29A.36
24 RCW to read as follows:

25 The names of the persons certified as nominees by the secretary of
26 state or the county canvassing board shall be printed on the ballot at
27 the ensuing election.

28 No name of any candidate whose nomination at a primary is required
29 by law shall be placed upon the ballot at a general or special election
30 unless it appears upon the certificate of either (1) the secretary of
31 state, or (2) the county canvassing board, or (3) a minor party
32 convention or the state or county central committee of a major
33 political party to fill a vacancy on its ticket under section 192 of
34 this act.

35 Excluding the office of precinct committee officer or a temporary
36 elected position such as a charter review board member or freeholder,
37 a candidate's name shall not appear more than once upon a ballot for a
38 position regularly nominated or elected at the same election.

1 NEW SECTION. **Sec. 172.** A new section is added to chapter 29A.52
2 RCW to read as follows:

3 Whenever it shall be necessary to hold a special election in an
4 odd-numbered year to fill an unexpired term of any office which is
5 scheduled to be voted upon for a full term in an even-numbered year, no
6 September primary election shall be held in the odd-numbered year if,
7 after the last day allowed for candidates to withdraw, either of the
8 following circumstances exist:

9 (1) No more than one candidate of each qualified political party
10 has filed a declaration of candidacy for the same partisan office to be
11 filled; or

12 (2) No more than two candidates have filed a declaration of
13 candidacy for a single nonpartisan office to be filled.

14 In either event, the officer with whom the declarations of
15 candidacy were filed shall immediately notify all candidates concerned
16 and the names of the candidates that would have been printed upon the
17 September primary ballot, but for the provisions of this section, shall
18 be printed as nominees for the positions sought upon the November
19 general election ballot.

20 NEW SECTION. **Sec. 173.** A new section is added to chapter 29A.52
21 RCW to read as follows:

22 Candidates for the following offices shall be nominated at partisan
23 primaries held pursuant to the provisions of this chapter:

24 (1) Congressional offices;

25 (2) All state offices except (a) judicial offices and (b) the
26 office of superintendent of public instruction;

27 (3) All county offices except (a) judicial offices and (b) those
28 offices where a county home rule charter provides otherwise.

29 NEW SECTION. **Sec. 174.** A new section is added to chapter 29A.52
30 RCW to read as follows:

31 The offices of superintendent of public instruction, justice of the
32 supreme court, judge of the court of appeals, judge of the superior
33 court, and judge of the district court shall be nonpartisan and the
34 candidates therefor shall be nominated and elected as such.

35 All city, town, and special purpose district elective offices shall
36 be nonpartisan and the candidates therefor shall be nominated and
37 elected as such.

1 NEW SECTION. **Sec. 175.** A new section is added to chapter 29A.52
2 RCW to read as follows:

3 Except as provided in RCW 29A.32.260, notice for any state, county,
4 district, or municipal election, whether special or general, must be
5 given by at least one publication not more than ten nor less than three
6 days before the election by the county auditor or the officer
7 conducting the election as the case may be, in one or more newspapers
8 of general circulation within the county. The legal notice must
9 contain the title of each office under the proper party designation,
10 the names and addresses of all officers who have been nominated for an
11 office to be voted upon at that election, together with the ballot
12 titles of all measures, the hours during which the polls will be open,
13 and the polling places for each precinct, giving the address of each
14 polling place. The names of all candidates for nonpartisan offices
15 must be published separately with designation of the offices for which
16 they are candidates but without party designation. This is the only
17 notice required for a state, county, district, or municipal general or
18 special election and supersedes the provisions of any and all other
19 statutes, whether general or special in nature, having different
20 requirements for the giving of notice of any general or special
21 elections.

22 NEW SECTION. **Sec. 176.** A new section is added to chapter 29A.60
23 RCW to read as follows:

24 (1) If the requisite number of any federal, state, county, city, or
25 district offices have not been nominated in a primary by reason of two
26 or more persons having an equal and requisite number of votes for being
27 placed on the general election ballot, the official empowered by state
28 law to certify candidates for the general election ballot shall give
29 notice to the several persons so having the equal and requisite number
30 of votes to attend at the appropriate office at the time designated by
31 that official, who shall then and there proceed publicly to decide by
32 lot which of those persons will be declared nominated and placed on the
33 general election ballot.

34 (2) If the requisite number of any federal, state, county, city,
35 district, or precinct officers have not been elected by reason of two
36 or more persons having an equal and highest number of votes for one and
37 the same office, the official empowered by state law to issue the
38 original certificate of election shall give notice to the several

1 persons so having the highest and equal number of votes to attend at
2 the appropriate office at the time to be appointed by that official,
3 who shall then and there proceed publicly to decide by lot which of
4 those persons will be declared duly elected, and the official shall
5 make out and deliver to the person thus duly declared elected a
6 certificate of election.

7 NEW SECTION. **Sec. 177.** A new section is added to chapter 29A.64
8 RCW to read as follows:

9 An officer of a political party or any person for whom votes were
10 cast in a primary who was not declared nominated may file a written
11 application for a recount of the votes or a portion of the votes cast
12 at that primary for all persons for whom votes were cast for nomination
13 to that office.

14 An officer of a political party or any person for whom votes were
15 cast at any election may file a written application for a recount of
16 the votes or a portion of the votes cast at that election for all
17 candidates for election to that office.

18 Any group of five or more registered voters may file a written
19 application for a recount of the votes or a portion of the votes cast
20 upon any question or issue. They shall designate one of the members of
21 the group as chair and shall indicate the voting residence of each
22 member of the group.

23 An application for a recount of the votes cast for an office or on
24 a ballot measure must be filed with the officer with whom filings are
25 made for the jurisdiction.

26 An application for a recount must specify whether the recount will
27 be done manually or by the vote tally system. A recount done by the
28 vote tally system must use programming that recounts and reports only
29 the office or ballot measure in question. The county shall also
30 provide for a test of the logic and accuracy of that program.

31 An application for a recount must be filed within three business
32 days after the county canvassing board or secretary of state has
33 declared the official results of the primary or election for the office
34 or issue for which the recount is requested.

35 This chapter applies to the recounting of votes cast by paper
36 ballots and to the recounting of votes recorded on ballots counted by
37 a vote tally system.

1 NEW SECTION. **Sec. 178.** A new section is added to chapter 29A.64
2 RCW to read as follows:

3 (1) If the official canvass of all of the returns for any office at
4 any primary or election reveals that the difference in the number of
5 votes cast for a candidate apparently nominated or elected to any
6 office and the number of votes cast for the closest apparently defeated
7 opponent is less than two thousand votes and also less than one-half of
8 one percent of the total number of votes cast for both candidates, the
9 county canvassing board shall conduct a recount of all votes cast on
10 that position.

11 (a) Whenever such a difference occurs in the number of votes cast
12 for candidates for a position the declaration of candidacy for which
13 was filed with the secretary of state, the secretary of state shall,
14 within three business days of the day that the returns of the primary
15 or election are first certified by the canvassing boards of those
16 counties, direct those boards to recount all votes cast on the
17 position.

18 (b) If the difference in the number of votes cast for the apparent
19 winner and the closest apparently defeated opponent is less than one
20 hundred fifty votes and also less than one-fourth of one percent of the
21 total number of votes cast for both candidates, the votes shall be
22 recounted manually or as provided in subsection (3) of this section.

23 (2) A mandatory recount shall be conducted in the manner provided
24 by RCW 29A.64.030, and sections 179 and 180 of this act. No cost of a
25 mandatory recount may be charged to any candidate.

26 (3) The apparent winner and closest apparently defeated opponent
27 for an office for which a manual recount is required under subsection
28 (1)(b) of this section may select an alternative method of conducting
29 the recount. To select such an alternative, the two candidates shall
30 agree to the alternative in a signed, written statement filed with the
31 election official for the office. The recount shall be conducted using
32 the alternative method if: It is suited to the balloting system that
33 was used for casting the votes for the office; it involves the use of
34 a vote tallying system that is approved for use in this state by the
35 secretary of state; and the vote tallying system is readily available
36 in each county required to conduct the recount. If more than one
37 balloting system was used in casting votes for the office, an
38 alternative to a manual recount may be selected for each system.

1 NEW SECTION. **Sec. 179.** A new section is added to chapter 29A.64
2 RCW to read as follows:

3 (1) At the time and place established for a recount, the canvassing
4 board or its duly authorized representatives, in the presence of all
5 witnesses who may be in attendance, shall open the sealed containers
6 containing the ballots to be recounted, and shall recount the votes for
7 the offices or issues for which the recount has been ordered. Ballots
8 shall be handled only by the members of the canvassing board or their
9 duly authorized representatives.

10 Witnesses shall be permitted to observe the ballots and the process
11 of tabulating the votes, but they shall not be permitted to handle the
12 ballots. The canvassing board shall not permit the tabulation of votes
13 for any nomination, election, or issue other than the ones for which a
14 recount was applied for or required.

15 (2) At any time before the ballots from all of the precincts listed
16 in the application for the recount have been recounted, the applicant
17 may file with the board a written request to stop the recount.

18 (3) The recount may be observed by persons representing the
19 candidates affected by the recount or the persons representing both
20 sides of an issue that is being recounted. The observers may not make
21 a record of the names, addresses, or other information on the ballots,
22 poll books, or applications for absentee ballots unless authorized by
23 the superior court. The secretary of state or county auditor may limit
24 the number of observers to not less than two on each side if, in his or
25 her opinion, a greater number would cause undue delay or disruption of
26 the recount process.

27 NEW SECTION. **Sec. 180.** A new section is added to chapter 29A.64
28 RCW to read as follows:

29 Upon completion of the canvass of a recount, the canvassing board
30 shall prepare and certify an amended abstract showing the votes cast in
31 each precinct for which the recount was conducted. Copies of the
32 amended abstracts must be transmitted to the same officers who received
33 the abstract on which the recount was based.

34 If the nomination, election, or issue for which the recount was
35 conducted was submitted only to the voters of a county, the canvassing
36 board shall file the amended abstract with the original results of that
37 election or primary.

1 If the nomination, election, or issue for which a recount was
2 conducted was submitted to the voters of more than one county, the
3 secretary of state shall canvass the amended abstracts and shall file
4 an amended abstract with the original results of that election. An
5 amended abstract certified under this section supersedes any prior
6 abstract of the results for the same offices or issues at the same
7 primary or election.

8 NEW SECTION. **Sec. 181.** A new section is added to chapter 29A.64
9 RCW to read as follows:

10 The canvassing board shall determine the expenses for conducting a
11 recount of votes.

12 The cost of the recount shall be deducted from the amount deposited
13 by the applicant for the recount at the time of filing the request for
14 the recount, and the balance shall be returned to the applicant. If
15 the costs of the recount exceed the deposit, the applicant shall pay
16 the difference. No charges may be deducted by the canvassing board
17 from the deposit for a recount if the recount changes the result of the
18 nomination or election for which the recount was ordered.

19 NEW SECTION. **Sec. 182.** A new section is added to chapter 29A.68
20 RCW to read as follows:

21 Any justice of the supreme court, judge of the court of appeals, or
22 judge of the superior court in the proper county shall, by order,
23 require any person charged with error, wrongful act, or neglect to
24 forthwith correct the error, desist from the wrongful act, or perform
25 the duty and to do as the court orders or to show cause forthwith why
26 the error should not be corrected, the wrongful act desisted from, or
27 the duty or order not performed, whenever it is made to appear to such
28 justice or judge by affidavit of an elector that:

29 (1) An error or omission has occurred or is about to occur in
30 printing the name of any candidate on official ballots; or

31 (2) An error other than as provided in subsections (1) and (3) of
32 this section has been committed or is about to be committed in printing
33 the ballots; or

34 (3) The name of any person has been or is about to be wrongfully
35 placed upon the ballots; or

36 (4) A wrongful act other than as provided for in subsections (1)

1 and (3) of this section has been performed or is about to be performed
2 by any election officer; or

3 (5) Any neglect of duty on the part of an election officer other
4 than as provided for in subsections (1) and (3) of this section has
5 occurred or is about to occur; or

6 (6) An error or omission has occurred or is about to occur in the
7 issuance of a certificate of election.

8 An affidavit of an elector under subsections (1) and (3) above when
9 relating to a primary election must be filed with the appropriate court
10 no later than the second Friday following the closing of the filing
11 period for nominations for such office and shall be heard and finally
12 disposed of by the court not later than five days after the filing
13 thereof. An affidavit of an elector under subsections (1) and (3) of
14 this section when relating to a general election must be filed with the
15 appropriate court no later than three days following the official
16 certification of the primary election returns and shall be heard and
17 finally disposed of by the court not later than five days after the
18 filing thereof. An affidavit of an elector under subsection (6) of
19 this section shall be filed with the appropriate court no later than
20 ten days following the issuance of a certificate of election.

21 NEW SECTION. **Sec. 183.** A new section is added to chapter 29A.80
22 RCW to read as follows:

23 (1) Each political party organization may:

24 (a) Make its own rules and regulations; and

25 (b) Perform all functions inherent in such an organization.

26 (2) Only major political parties may designate candidates to appear
27 on the state primary ballot as provided in section 191 of this act.

28 NEW SECTION. **Sec. 184.** A new section is added to chapter 29A.84
29 RCW to read as follows:

30 The following apply to persons signing nominating petitions
31 prescribed by section 114 of this act:

32 (1) A person who signs a petition with any other than his or her
33 name shall be guilty of a misdemeanor.

34 (2) A person shall be guilty of a misdemeanor if the person
35 knowingly: Signs more than one petition for any single candidacy of
36 any single candidate; signs the petition when he or she is not a legal
37 voter; or makes a false statement as to his or her residence.

1 NEW SECTION. **Sec. 185.** A new section is added to chapter 29A.84
2 RCW to read as follows:
3 Every person who:
4 (1) Knowingly provides false information on his or her declaration
5 of candidacy or petition of nomination; or
6 (2) Conceals or fraudulently defaces or destroys a certificate that
7 has been filed with an elections officer under chapter 29A.20 RCW or a
8 declaration of candidacy or petition of nomination that has been filed
9 with an elections officer, or any part of such a certificate,
10 declaration, or petition, is guilty of a class C felony punishable
11 under RCW 9A.20.021.

12 NEW SECTION. **Sec. 186.** A new section is added to chapter 29A.84
13 RCW to read as follows:
14 Every person who:
15 (1) Knowingly and falsely issues a certificate of nomination or
16 election; or
17 (2) Knowingly provides false information on a certificate which
18 must be filed with an elections officer under chapter 29A.20 RCW, is
19 guilty of a class C felony punishable under RCW 9A.20.021.

20 NEW SECTION. **Sec. 187.** A new section is added to chapter 29A.04
21 RCW to read as follows:
22 "September primary" means the primary election held in September to
23 nominate candidates to be voted for at the ensuing election.

24 NEW SECTION. **Sec. 188.** A new section is added to chapter 29A.20
25 RCW to read as follows:
26 A "convention" for the purposes of this chapter, is an organized
27 assemblage of registered voters representing an independent candidate
28 or candidates or a new or minor political party, organization, or
29 principle. As used in this chapter, the term "election jurisdiction"
30 shall mean the state or any political subdivision or jurisdiction of
31 the state from which partisan officials are elected. This term shall
32 include county commissioner districts or council districts for members
33 of a county legislative authority, counties for county officials who
34 are nominated and elected on a county-wide basis, legislative districts
35 for members of the legislature, congressional districts for members of

1 Congress, and the state for president and vice president, members of
2 the United States senate, and state officials who are elected on a
3 statewide basis.

4 NEW SECTION. **Sec. 189.** A new section is added to chapter 29A.20
5 RCW to read as follows:

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

13 NEW SECTION. **Sec. 190.** A new section is added to chapter 29A.24
14 RCW to read as follows:

15 If after both the normal filing period and special three day filing
16 period as provided by sections 165 and 166 of this act have passed, no
17 candidate has filed for any single city, town, or district position to
18 be filled, the election for such position shall be deemed lapsed, the
19 office deemed stricken from the ballot and no write-in votes counted.
20 In such instance, the incumbent occupying such position shall remain in
21 office and continue to serve until a successor is elected at the next
22 election when such positions are voted upon.

23 NEW SECTION. **Sec. 191.** A new section is added to chapter 29A.28
24 RCW to read as follows:

25 If a place on the ticket of a major political party is vacant
26 because no person has filed for nomination as the candidate of that
27 major political party, after the last day allowed for candidates to
28 withdraw as provided by section 115 of this act, and if the vacancy is
29 for a state or county office to be voted on solely by the electors of
30 a single county, the county central committee of the major political
31 party may select and certify a candidate to fill the vacancy. If the
32 vacancy is for any other office the state central committee of the
33 major political party may select and certify a candidate to fill the
34 vacancy. The certificate must set forth the cause of the vacancy, the
35 name of the person nominated, the office for which the person is
36 nominated, and other pertinent information required in an ordinary

1 certificate of nomination and be filed in the proper office no later
2 than the first Friday after the last day allowed for candidates to
3 withdraw, together with the candidate's fee applicable to that office
4 and a declaration of candidacy.

5 NEW SECTION. **Sec. 192.** A new section is added to chapter 29A.28
6 RCW to read as follows:

7 A vacancy caused by the death or disqualification of any candidate
8 or nominee of a major or minor political party may be filled at any
9 time up to and including the day prior to the election for that
10 position. For state partisan offices in any political subdivision
11 voted on solely by electors of a single county, an individual shall be
12 appointed to fill such vacancy by the county central committee in the
13 case of a major political party or by the state central committee or
14 comparable governing body in the case of a minor political party. For
15 other partisan offices, including federal or statewide offices, an
16 individual shall be appointed to fill such vacancy by the state central
17 committee or comparable governing body of the appropriate political
18 party.

19 If the vacancy occurs no later than the sixth Tuesday prior to the
20 state primary or general election concerned and the ballots have been
21 printed, it shall be mandatory that they be corrected by the
22 appropriate election officers. In making such correction, it shall not
23 be necessary to reprint complete ballots if any other less expensive
24 technique can be used and the resulting correction is reasonably clear.

25 If the vacancy occurs after the sixth Tuesday prior to the state
26 primary or general election and time does not exist in which to correct
27 ballots (including absentee ballots), either in total or in part, then
28 the votes cast or recorded for the person who has died or become
29 disqualified shall be counted for the person who has been named to fill
30 such vacancy.

31 When the secretary of state is the person with whom the appointment
32 by the major or minor political party is filed, the secretary shall, in
33 certifying candidates or nominations to the various county officers
34 insert the name of the person appointed to fill a vacancy.

35 If the secretary of state has already sent forth the certificate
36 when the appointment to fill a vacancy is filed, the secretary shall
37 forthwith certify to the county auditors of the proper counties the
38 name and place of residence of the person appointed to fill a vacancy,

1 the office for which the person is a candidate or nominee, the party
2 the person represents, and all other pertinent facts pertaining to the
3 vacancy.

4 NEW SECTION. **Sec. 193.** The following acts or parts of acts are
5 each repealed:

6 (1) RCW 29A.04.007 (Ballot and related terms) and 2003 c 111 s 102,
7 1994 c 57 s 2, 1990 c 59 s 2, & 1977 ex.s. c 361 s 1;

8 (2) RCW 29A.04.085 (Major political party) and section 3 of this
9 act, 2003 c 111 s 115, 1977 ex.s. c 329 s 9, & 1965 c 9 s 29.01.090;

10 (3) RCW 29A.04.127 (Primary) and section 5 of this act & 2003 c 111
11 s 122;

12 (4) RCW 29A.04.215 (County auditor--Duties--Exceptions) and 2003 c
13 111 s 134, 1987 c 295 s 1, 1977 ex.s. c 361 s 2, 1971 ex.s. c 202 s 1,
14 1965 c 123 s 1, & 1965 c 9 s 29.04.020;

15 (5) RCW 29A.04.310 (Primaries) and section 6 of this act, 2003 c
16 111 s 143, 1977 ex.s. c 361 s 29, 1965 ex.s. c 103 s 6, & 1965 c 9 s
17 29.13.070;

18 (6) RCW 29A.04.320 (State and local general elections--Statewide
19 general election--Exceptions--Special county elections) and 2003 c 111
20 s 144, 1994 c 142 s 1, 1992 c 37 s 1, 1989 c 4 s 9 (Initiative Measure
21 No. 99), 1980 c 3 s 1, 1975-'76 2nd ex.s. c 111 s 1, 1975-'76 2nd ex.s.
22 c 3 s 1, 1973 2nd ex.s. c 36 s 1, 1973 c 4 s 1, 1965 c 123 s 2, & 1965
23 c 9 s 29.13.010;

24 (7) RCW 29A.04.610 (Rules by secretary of state) and 2003 c 111 s
25 161, 1971 ex.s. c 202 s 2, & 1965 c 9 s 29.04.080;

26 (8) RCW 29A.12.100 (Requirements of tallying systems for approval)
27 and 2003 c 111 s 310;

28 (9) RCW 29A.20.020 (Qualifications for filing, appearance on
29 ballot) and section 7 of this act, 2004 c ... (Senate Bill No. 6417) s
30 11, 2003 c 111 s 502, 1999 c 298 s 9, 1993 c 317 s 10, & 1991 c 178 s
31 1;

32 (10) RCW 29A.20.120 (Nomination by convention or write-in--Dates--
33 Special filing period) and section 8 of this act & 2003 c 111 s 506;

34 (11) RCW 29A.20.140 (Convention--Requirements for validity) and
35 section 9 of this act & 2003 c 111 s 508;

36 (12) RCW 29A.20.150 (Nominating petition--Requirements) and section
37 10 of this act & 2003 c 111 s 509;

1 (13) RCW 29A.20.160 (Certificate of nomination--Requisites) and
2 section 11 of this act, 2003 c 111 s 510, 1989 c 215 s 4, 1977 ex.s. c
3 329 s 4, & 1965 c 9 s 29.24.040;

4 (14) RCW 29A.20.170 (Multiple certificates of nomination) and
5 section 12 of this act & 2003 c 111 s 511;

6 (15) RCW 29A.20.180 (Presidential electors--Selection at
7 convention) and section 13 of this act & 2003 c 111 s 512;

8 (16) RCW 29A.20.190 (Certificate of nomination--Checking
9 signatures--Appeal of determination) and section 14 of this act & 2003
10 c 111 s 513;

11 (17) RCW 29A.24.030 (Declaration of candidacy) and section 15 of
12 this act, 2003 c 111 s 603, 2002 c 140 s 1, & 1990 c 59 s 82.

13 (18) RCW 29A.24.080 (Declaration--Filing by mail) and section 17 of
14 this act & 2003 c 111 s 608;

15 (19) RCW 29A.24.090 (Declaration--Fees and petitions) and section
16 18 of this act & 2003 c 111 s 609;

17 (20) RCW 29A.24.100 (Nominating petition--Form) and section 19 of
18 this act, 2003 c 111 s 610, & 1984 c 142 s 5;

19 (21) RCW 29A.24.110 (Petitions--Rejection--Acceptance, canvass of
20 signatures--Judicial review) and section 20 of this act & 2003 c 111 s
21 611;

22 (22) RCW 29A.24.130 (Withdrawal of candidacy) and 2003 c 111 s 613;

23 (23) RCW 29A.24.140 (Void in candidacy--Exception) and section 21
24 of this act & 2003 c 111 s 614;

25 (24) RCW 29A.24.150 (Notice of void in candidacy) and section 22 of
26 this act & 2003 c 111 s 615;

27 (25) RCW 29A.24.160 (Filings to fill void in candidacy--How made)
28 and section 23 of this act, 2003 c 111 s 616, & 1972 ex.s. c 61 s 6;

29 (26) RCW 29A.24.170 (Reopening of filing--Before sixth Tuesday
30 before primary) and section 24 of this act & 2003 c 111 s 617;

31 (27) RCW 29A.24.180 (Reopening of filing--After sixth Tuesday
32 before primary) and section 25 of this act & 2003 c 111 s 618;

33 (28) RCW 29A.24.190 (Scheduled election lapses, when) and section
34 26 of this act, 2003 c 111 s 619, 2002 c 108 s 1, 1975-'76 2nd ex.s. c
35 120 s 12, & 1972 ex.s. c 61 s 4;

36 (29) RCW 29A.24.310 (Write-in voting--Candidates, declaration) and
37 section 27 of this act, 2003 c 111 s 622, 1999 c 157 s 1, 1995 c 158 s
38 1, 1990 c 59 s 100, & 1988 c 181 s 1;

1 (30) RCW 29A.28.040 (Congress--Special election) and section 29 of
2 this act, 2003 c 111 s 704, 1990 c 59 s 105, 1985 c 45 s 4, 1973 2nd
3 ex.s. c 36 s 3, & 1965 c 9 s 29.68.080;

4 (31) RCW 29A.28.060 (Congress--General, primary election laws to
5 apply--Time deadlines, modifications) and section 30 of this act, 2003
6 c 111 s 706, 1985 c 45 s 7, & 1965 c 9 s 29.68.130;

7 (32) RCW 29A.28.070 (Precinct committee officer) and 2003 c 111 s
8 707;

9 (33) RCW 29A.32.030 (Contents) and section 31 of this act & 2003 c
10 111 s 803;

11 (34) RCW 29A.32.120 (Candidates' statements--Length) and section 32
12 of this act, 2004 c ... (Senate Bill No. 6417) s 12, 2003 c 254 s 6,
13 2003 c 111 s 812, & 1999 c 260 s 11;

14 (35) RCW 29A.32.240 (Contents) and 2003 c 111 s 816 & 1984 c 106 s
15 6;

16 (36) RCW 29A.36.010 (Certifying primary candidates) and section 33
17 of this act & 2003 c 111 s 901;

18 (37) RCW 29A.36.070 (Local measures--Ballot title--Formulation--
19 Advertising) and section 34 of this act & 2003 c 111 s 907;

20 (38) RCW 29A.36.100 (Names on primary ballot) and section 35 of
21 this act, 2003 c 111 s 910, & 1990 c 59 s 93;

22 (39) RCW 29A.36.110 (Uniformity, arrangement, contents required)
23 and 2003 c 111 s 911;

24 (40) RCW 29A.36.120 (Order of offices and issues--Party indication)
25 and 2003 c 111 s 912;

26 (41) RCW 29A.36.130 (Order of candidates on ballots) and 2003 c 111
27 s 913;

28 (42) RCW 29A.36.140 (Primaries--Rotating names of candidates) and
29 2003 c 111 s 914;

30 (43) RCW 29A.36.150 (Sample ballots) and 2003 c 111 s 915;

31 (44) RCW 29A.36.160 (Arrangement of instructions, measures,
32 offices--Order of candidates--Numbering of ballots) and 2003 c 111 s
33 916, 1990 c 59 s 13, 1986 c 167 s 11, 1982 c 121 s 1, & 1977 ex.s. c
34 361 s 60;

35 (45) RCW 29A.36.170 (Nonpartisan candidates qualified for general
36 election) and section 36 of this act, 2004 c ... (Senate Bill No. 6518)
37 s 1, & 2003 c 111 s 917;

38 (46) RCW 29A.36.200 (Names qualified to appear on election ballot)
39 and section 37 of this act & 2003 c 111 s 920;

1 (47) RCW 29A.40.060 (Issuance of ballot and other materials) and
2 2003 c 111 s 1006, 2001 c 241 s 6, & 1991 c 81 s 31;
3 (48) RCW 29A.40.090 (Envelopes and instructions) and 2003 c 111 s
4 1009;
5 (49) RCW 29A.44.200 (Issuing ballot to voter--Challenge) and 2003
6 c 111 s 1119, 1990 c 59 s 40, & 1965 c 9 s 29.51.050;
7 (50) RCW 29A.44.220 (Casting vote) and 2003 c 111 s 1121, 1990 c 59
8 s 43, 1988 c 181 s 4, 1965 ex.s. c 101 s 15, & 1965 c 9 s 29.51.100;
9 (51) RCW 29A.44.230 (Record of participation) and 2003 c 111 s
10 1122;
11 (52) RCW 29A.52.010 (Elections to fill unexpired term--No primary,
12 when) and section 38 of this act & 2003 c 111 s 1301;
13 (53) RCW 29A.52.110 (Application of chapter) and section 39 of this
14 act & 2003 c 111 s 1302;
15 (54) RCW 29A.52.120 (General election laws govern primaries) and
16 2003 c 111 s 1303;
17 (55) RCW 29A.52.230 (Nonpartisan offices specified) and section 41
18 of this act & 2003 c 111 s 1307;
19 (56) RCW 29A.52.310 (Notice of primary) and 2003 c 111 s 1309 &
20 1965 c 9 s 29.27.030;
21 (57) RCW 29A.52.320 (Certification of nominees) and section 42 of
22 this act & 2003 c 111 s 1310;
23 (58) RCW 29A.52.350 (Election--Certification of measures) and
24 section 43 of this act, 2003 c 111 s 1313, 1999 c 4 s 1, 1984 c 106 s
25 12, 1980 c 35 s 8, & 1965 c 9 s 29.27.080;
26 (59) RCW 29A.60.020 (Write-in voting--Declaration of candidacy--
27 Counting of vote) and section 44 of this act & 2003 c 111 s 1502;
28 (60) RCW 29A.60.220 (Tie in primary or final election) and section
29 45 of this act, 2003 c 111 s 1522, & 1965 c 9 s 29.62.080;
30 (61) RCW 29A.64.010 (Application--Requirements--Application of
31 chapter) and section 46 of this act, 2003 c 111 s 1601, 2001 c 225 s 3,
32 1987 c 54 s 3, 1977 ex.s. c 361 s 98, & 1965 c 9 s 29.64.010;
33 (62) RCW 29A.64.020 (Mandatory) and section 47 of this act & 2003
34 c 111 s 1602;
35 (63) RCW 29A.64.040 (Procedure--Observers--Request to stop) and
36 section 48 of this act & 2003 c 111 s 1604;
37 (64) RCW 29A.64.060 (Amended abstracts) and section 49 of this act
38 & 2003 c 111 s 1606;

- 1 (65) RCW 29A.64.080 (Expenses--Charges) and section 50 of this act
2 & 2003 c 111 s 1608;
- 3 (66) RCW 29A.68.010 (Prevention and correction of election frauds
4 and errors) and section 51 of this act & 2003 c 111 s 1701;
- 5 (67) RCW 29A.80.010 (Authority--Generally) and section 52 of this
6 act, 2003 c 111 s 2001, 1977 ex.s. c 329 s 16, & 1965 c 9 s 29.42.010;
- 7 (68) RCW 29A.80.040 (Precinct committee officer, eligibility) and
8 2003 c 111 s 2004;
- 9 (69) RCW 29A.80.050 (Precinct committee officer--Election--
10 Declaration of candidacy, fee--Term) and 2003 c 111 s 2005, 1991 c 363
11 s 34, 1987 c 295 s 14, 1973 c 4 s 7, 1967 ex.s. c 32 s 2, 1965 ex.s. c
12 103 s 3, & 1965 c 9 s 29.42.050;
- 13 (70) RCW 29A.80.060 (Legislative district chair--Election--Term--
14 Removal) and 2003 c 111 s 2006, 1991 c 363 s 35, 1987 c 295 s 15, &
15 1967 ex.s. c 32 s 1;
- 16 (71) RCW 29A.84.260 (Petitions--Improperly signing) and section 53
17 of this act & 2003 c 111 s 2114;
- 18 (72) RCW 29A.84.310 (Candidacy declarations, nominating petitions)
19 and section 54 of this act & 2003 c 111 s 2117;
- 20 (73) RCW 29A.84.710 (Documents regarding nomination, election,
21 candidacy--Frauds and falsehoods) and section 55 of this act, 2003 c
22 111 s 2137, 1991 c 81 s 8, & 1965 c 9 s 29.85.100;
- 23 (74) Section 1 of this act;
- 24 (75) Section 2 of this act;
- 25 (76) Section 4 of this act;
- 26 (77) Section 28 of this act; and
- 27 (78) Section 40 of this act.

28 **PART 3 - MISCELLANEOUS PROVISIONS**

29 NEW SECTION. **Sec. 201.** Sections 102 through 193 of this act take
30 effect the June 1st following the secretary of state issuing a
31 notification that no qualifying primary may be held in this state.

32 NEW SECTION. **Sec. 202.** The code reviser shall correct any
33 internal references accordingly if sections 102 through 193 of this act
34 take effect.

1 NEW SECTION. **Sec. 203.** Part headings used in this act are not any
2 part of the law."

3 Renumber the remaining sections consecutively, correct any internal
4 references accordingly, and correct the title.

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By Representative Armstrong

ADOPTED 03/08/2004

5 On page 42, line 32, after "**Sec. 60.**" strike "This" and insert
6 "Except for sections 102 through 193 of this act, this"

--- END ---