

HB 2420 - S COMM AMD

By Committee on Government Operations & Elections

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 29A.24.310 and 2003 c 111 s 622 are each amended to  
4 read as follows:

5 Any person who desires to be a write-in candidate and have such  
6 votes counted at a primary or election may file a declaration of  
7 candidacy with the officer designated in RCW 29A.24.070 not later than  
8 the day before the primary or election. Declarations of candidacy for  
9 write-in candidates must be accompanied by a filing fee in the same  
10 manner as required of other candidates filing for the office as  
11 provided in RCW 29A.24.090.

12 Votes cast for write-in candidates who have filed such declarations  
13 of candidacy and write-in votes for persons appointed by political  
14 parties pursuant to RCW 29A.28.020 need only specify the name of the  
15 candidate in the appropriate location on the ballot in order to be  
16 counted. Write-in votes cast for any other candidate, in order to be  
17 counted, must designate the office sought and position number or  
18 political party, if the manner in which the write-in is done does not  
19 make the office or position clear. (~~In order for write-in votes to be  
20 valid in jurisdictions employing optical scan mark sense ballot systems  
21 the voter must complete the proper mark next to the write-in line for  
22 that office.~~)

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

1 election, unless one or the other of the two filings is for the office  
2 of precinct committeeperson;

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

6 The declaration of candidacy shall be similar to that required by  
7 RCW 29A.24.030. No write-in candidate filing under this section may be  
8 included in any voter's pamphlet produced under chapter 29A.32 RCW  
9 unless that candidate qualifies to have his or her name printed on the  
10 general election ballot. The legislative authority of any jurisdiction  
11 producing a local voter's pamphlet under chapter 29A.32 RCW may  
12 provide, by ordinance, for the inclusion of write-in candidates in such  
13 pamphlets.

14 **Sec. 2.** RCW 29A.60.020 and 2003 c 111 s 1502 are each amended to  
15 read as follows:

16 (1) For any office at any election or primary, any voter may write  
17 in on the ballot the name of any person for an office who has filed as  
18 a write-in candidate for the office in the manner provided by RCW  
19 29A.24.310 and such vote shall be counted the same as if the name had  
20 been printed on the ballot and marked by the voter. No write-in vote  
21 made for any person who has not filed a declaration of candidacy  
22 pursuant to RCW 29A.24.310 is valid if that person filed for the same  
23 office, either as a regular candidate or a write-in candidate, at the  
24 preceding primary. Any abbreviation used to designate office,  
25 position, or political party shall be accepted if the canvassing board  
26 can determine, to their satisfaction, the voter's intent.

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

29 (3) Write-in votes cast for an individual candidate for an office  
30 need not be tallied if the total number of write-in votes (~~east~~) and  
31 under votes recorded by the vote tabulation system for the office is  
32 not greater than the number of votes cast for the candidate apparently  
33 nominated or elected, and the write-in votes could not have altered the  
34 outcome of the primary or election. In the case of write-in votes for  
35 statewide office or for any office whose jurisdiction encompasses more  
36 than one county, write-in votes for an individual candidate must be

1 tallied whenever the county auditor is notified by either the office of  
2 the secretary of state or another auditor in a multicounty jurisdiction  
3 that it appears that the write-in votes could alter the outcome of the  
4 primary or election.

5 (4) In the case of statewide offices or jurisdictions that  
6 encompass more than one county, if the total number of write-in votes  
7 (~~east~~) and under votes recorded by the vote tabulation system for an  
8 office within a county is greater than the number of votes cast for a  
9 candidate apparently nominated or elected in a primary or election, the  
10 auditor shall tally all write-in votes for individual candidates for  
11 that office and notify the office of the secretary of state and the  
12 auditors of the other counties within the jurisdiction, that the write-  
13 in votes for individual candidates should be tallied.

14 NEW SECTION. **Sec. 3.** This act takes effect July 1, 2004."

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15 On page 1, line 2 of the title, after "candidates;" strike the  
16 remainder of the title and insert "amending RCW 29A.24.310 and  
17 29A.60.020; and providing an effective date."

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