
SUBSTITUTE HOUSE BILL 1093

State of Washington 58th Legislature 2003 Regular Session

By House Committee on State Government (originally sponsored by Representatives Hatfield, Hankins, Morris and Blake)

READ FIRST TIME 03/03/03.

1 AN ACT Relating to the order of candidates on ballots; amending RCW
2 29.30.025, 29.33.320, and 35.22.055; and repealing RCW 29.30.040.

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

4 **Sec. 1.** RCW 29.30.025 and 1990 c 59 s 80 are each amended to read
5 as follows:

6 After the close of business on the last day for candidates to file
7 for office, the (~~filing officer~~) county auditor shall, from among
8 those filings made in person (~~and~~), by mail, and by electronic means,
9 determine by lot the order in which the names of those candidates will
10 appear on all (~~sample and absentee ballots. In the case of candidates~~
11 ~~for city, town, and district office, this procedure shall also~~
12 ~~determine the order for candidate names on the official primary ballot~~
13 ~~used at the polling place)) primary ballots, including sample ballots.
14 The determination shall be done publicly and may be witnessed by the
15 media and by any candidate. If no primary is required for any
16 nonpartisan office under RCW 29.15.150 or 29.21.015, the names shall
17 appear on the general election ballot in the order determined by lot.~~

1 **Sec. 2.** RCW 29.33.320 and 1990 c 59 s 28 are each amended to read
2 as follows:

3 The secretary of state shall not approve a vote tallying system
4 unless it:

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

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

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

13 (4) ~~((Accommodates rotation of candidates' names on the ballot
14 under RCW 29.30.040;~~

15 ~~(5))~~ Produces precinct and cumulative totals in printed form; and

16 ~~((6))~~ (5) Except for functions or capabilities unique to this
17 state, has been tested, certified, and used in at least one other state
18 or election jurisdiction.

19 **Sec. 3.** RCW 35.22.055 and 1974 ex.s. c 1 s 1 are each amended to
20 read as follows:

21 Notwithstanding any other provision of law, whenever the population
22 of a city is three hundred thousand persons or more, not less than ten
23 days before the time for filing declarations of candidacy for election
24 of freeholders under Article XI, section 10 (Amendment 40), of the
25 state Constitution, the city clerk shall designate the positions to be
26 filled by consecutive number, commencing with one. The positions to be
27 designated shall be dealt with as separate offices for all election
28 purposes, and each candidate shall file for one, but only one, of the
29 positions so designated.

30 In the printing of ballots, the positions of the names of
31 candidates for each numbered position ~~((shall be changed as many times
32 as there are candidates for the numbered positions, following insofar
33 as applicable the procedure provided for in RCW 29.30.040 for the
34 rotation of names on primary ballots, the intention being that ballots
35 at the polls will reflect as closely as practicable the rotation
36 procedure as provided for therein))~~ must be arranged in the order
37 determined under RCW 29.30.025.

1 NEW SECTION. **Sec. 4.** RCW 29.30.040 (Primaries--Rotating names of
2 candidates) and 1990 c 59 s 94, 1977 ex.s. c 361 s 54, & 1965 c 9 s
3 29.30.040 are each repealed.

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