
SUBSTITUTE HOUSE BILL 2433

State of Washington 58th Legislature 2004 Regular Session

By House Committee on State Government (originally sponsored by Representatives Hatfield, Clements, Haigh, Grant, Armstrong, Blake, Sump and Condotta)

READ FIRST TIME 01/30/04.

1 AN ACT Relating to appearing on a ballot for two offices; amending
2 RCW 29A.20.020, 29A.24.310, and 29A.36.200; and providing an effective
3 date.

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

5 **Sec. 1.** RCW 29A.20.020 and 2003 c 111 s 502 are each amended to
6 read as follows:

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

11 (2) (~~Excluding the office of precinct committee officer or a~~
12 ~~temporary elected position such as a charter review board member or~~
13 ~~freeholder, no person may file for more than one office.)) A person may
14 not file for more than one office or more than one position within an
15 office. However, a person may file for one additional office if the
16 office is precinct committee officer, a temporary elected office such
17 as charter review board member or freeholder, or an office for which a
18 filing fee is not required under RCW 29A.24.090.~~

1 (3) The name of a candidate for an office shall not appear on a
2 ballot for that office unless, except as provided in RCW 3.46.067 and
3 3.50.057, the candidate is, at the time the candidate's declaration of
4 candidacy is filed, properly registered to vote in the geographic area
5 represented by the office. For the purposes of this section, each
6 geographic area in which registered voters may cast ballots for an
7 office is represented by that office. If a person elected to an office
8 must be nominated from a district or similar division of the geographic
9 area represented by the office, the name of a candidate for the office
10 shall not appear on a primary ballot for that office unless the
11 candidate is, at the time the candidate's declaration of candidacy is
12 filed, properly registered to vote in that district or division. The
13 officer with whom declarations of candidacy must be filed under this
14 title shall review each such declaration filed regarding compliance
15 with this subsection.

16 (4) This section does not apply to the office of a member of the
17 United States Congress.

18 **Sec. 2.** RCW 29A.24.310 and 2003 c 111 s 622 are each amended to
19 read as follows:

20 Any person who desires to be a write-in candidate and have such
21 votes counted at a primary or election may file a declaration of
22 candidacy with the officer designated in RCW 29A.24.070 not later than
23 the day before the primary or election. Declarations of candidacy for
24 write-in candidates must be accompanied by a filing fee in the same
25 manner as required of other candidates filing for the office as
26 provided in RCW 29A.24.090.

27 Votes cast for write-in candidates who have filed such declarations
28 of candidacy and write-in votes for persons appointed by political
29 parties pursuant to RCW 29A.28.020 need only specify the name of the
30 candidate in the appropriate location on the ballot in order to be
31 counted. Write-in votes cast for any other candidate, in order to be
32 counted, must designate the office sought and position number or
33 political party, if the manner in which the write-in is done does not
34 make the office or position clear. In order for write-in votes to be
35 valid in jurisdictions employing optical-scan mark sense ballot systems
36 the voter must complete the proper mark next to the write-in line for
37 that office.

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

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

6 (2) The person attempting to file as a write-in candidate has
7 already filed a valid write-in declaration for that primary or
8 election, unless one (~~or the other~~) of the two filings is for the
9 office of precinct committeeperson or any office for which no filing
10 fee is required;

11 (3) The name of the person attempting to file already appears on
12 the ballot as a candidate for another office, unless one of the two
13 offices for which he or she is a candidate is precinct committeeperson
14 or any office for which no filing fee is required.

15 The declaration of candidacy shall be similar to that required by
16 RCW 29A.24.030. No write-in candidate filing under this section may be
17 included in any voter's pamphlet produced under chapter 29A.32 RCW
18 unless that candidate qualifies to have his or her name printed on the
19 general election ballot. The legislative authority of any jurisdiction
20 producing a local voter's pamphlet under chapter 29A.32 RCW may
21 provide, by ordinance, for the inclusion of write-in candidates in such
22 pamphlets.

23 **Sec. 3.** RCW 29A.36.200 and 2003 c 111 s 920 are each amended to
24 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 RCW 29A.28.020.

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

1 A candidate's name shall not appear more than once upon a ballot.
2 However, a candidate's name may appear for one additional office if the
3 office is precinct committee officer, a temporary elected office such
4 as charter review board member or freeholder, or an office for which a
5 filing fee is not required under RCW 29A.24.090.

6 NEW SECTION. **Sec. 4.** This act takes effect July 1, 2004.

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