
SENATE BILL 5397

State of Washington

58th Legislature

2003 Regular Session

By Senator Schmidt

Read first time 01/23/2003. Referred to Committee on Government Operations & Elections.

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

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

1 The secretary of state shall not approve a vote tallying system
2 unless it:

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

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

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

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

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

14 ~~((6))~~ (5) Except for functions or capabilities unique to this
15 state, has been tested, certified, and used in at least one other state
16 or election jurisdiction.

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

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

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