
**State Government Operations &
Accountability Committee**

HB 1363

Brief Description: Allowing the voters to select "none of the above" at general elections.

Sponsors: Representatives Kristiansen, Pettigrew, Nixon, Pearson, Kretz, Strow, Linville, Buri, Moeller, Anderson, Campbell, P. Sullivan, McCune, Bailey and Springer.

Brief Summary of Bill

- Requires general election ballots include an option for voting "none of the above."
- Requires all ballots to include clear instructions for voting the "none of the above" option.

Hearing Date: 2/8/05

Staff: Hannah Lidman (786-7291).

Background:

General election ballots contain two voting options for partisan or nonpartisan offices. A person may vote for one of the candidates printed on the ballot or may vote for a candidate whose name the voter writes in.

The vote for the write-in candidate will be counted only if the candidate has filed a declaration of candidacy by the day before the election. A person may file as a write-in candidate for the general election provided the candidate:

- had not filed a valid write-in declaration for the same office at the preceding primary;
- did not appear on the preceding primary ballot for the same office;
- has not already filed a valid write-in declaration for this election; and
- does not appear on the ballot as a candidate for any other office, other than precinct committeeperson.

Ballots and voting devices must contain clear and concise instruction on the correct method for marking a ballot, including directions for marking a write-in vote. Each position, with the names of the candidates, must be clearly separated from other positions in the same jurisdiction.

Summary of Bill:

Directly below the names of candidates printed on the ballot, general election ballots for all partisan and nonpartisan offices are required to offer an option where the voter may choose to

vote for "none of the above." The number of votes cast for the "none of the above" selection must be reported with all other election results but shall not effect the election outcome.

Clear instructions for the proper method for voting the "none of the above" option must be included on the top of each ballot or on the voting device along with the directions for voting a printed or write-in candidate.

The requirements for ballots to clearly separate each position, with candidate names, from other positions in the same jurisdiction is amended to include this requirement for write-in candidates and for the choice of "none of the above."

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.