
HOUSE BILL 1363

State of Washington

59th Legislature

2005 Regular Session

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

Read first time 01/21/2005. Referred to Committee on State Government Operations & Accountability.

1 AN ACT Relating to elections; amending RCW 29A.36.111 and
2 29A.36.161; and adding a new section to chapter 29A.36 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 29A.36 RCW
5 to read as follows:

6 (1) General election ballots must give voters the opportunity to
7 select "none of the above" as an alternative to voting for a candidate
8 listed on the ballot for an elective office or writing in the name of
9 a candidate. Ballots must be organized so that the alternative
10 selection of "none of the above" is printed on ballots immediately
11 after the name of the last candidate listed for each office appearing
12 on the ballot. The number of votes cast for "none of the above" must
13 be reported with election results for an office but does not affect the
14 election results for any office.

15 (2) This section applies to all partisan and nonpartisan offices,
16 including, but not limited to, the election of a supreme court judge,
17 court of appeals judge, superior court judge, and the superintendent of
18 public instruction, as well as the election of the initial elected
19 officials of any newly created unit of local government.

1 **Sec. 2.** RCW 29A.36.111 and 2004 c 271 s 128 are each amended to
2 read as follows:

3 Every ballot for a single combination of issues, offices, and
4 candidates shall be uniform within a precinct and shall identify the
5 type of primary or election, the county, and the date of the primary or
6 election, and the ballot or voting device shall contain instructions on
7 the proper method of recording a vote, including write-in votes and the
8 alternative selection of "none of the above". Each position, together
9 with the names of the candidates, write-in votes, and the alternative
10 selection of "none of the above" for that office, shall be clearly
11 separated from other offices or positions in the same jurisdiction.
12 The offices in each jurisdiction shall be clearly separated from each
13 other. No paper ballot or ballot card may be marked in any way that
14 would permit the identification of the person who voted that ballot.

15 **Sec. 3.** RCW 29A.36.161 and 2004 c 271 s 132 are each amended to
16 read as follows:

17 (1) On the top of each ballot must be printed clear and concise
18 instructions directing the voter how to mark the ballot, including
19 write-in votes and the alternative selection of "none of the above".
20 On the top of each primary ballot must be printed the instructions
21 required by this chapter.

22 (2) The questions of adopting constitutional amendments or any
23 other state measure authorized by law to be submitted to the voters at
24 that election must appear after the instructions and before any
25 offices.

26 (3) In a year that president and vice president appear on the
27 general election ballot, the names of candidates for president and vice
28 president for each political party must be grouped together with a
29 single response position for a voter to indicate his or her choice.

30 (4) On a general election ballot, the candidate or candidates of
31 the major political party that received the highest number of votes
32 from the electors of this state for the office of president of the
33 United States at the last presidential election must appear first
34 following the appropriate office heading. The candidate or candidates
35 of the other major political parties will follow according to the votes
36 cast for their nominees for president at the last presidential

1 election, and independent candidates and the candidate or candidates of
2 all other parties will follow in the order of their qualification with
3 the secretary of state.

4 (5) All paper ballots and ballot cards used at a polling place must
5 be sequentially numbered in such a way to permit removal of such
6 numbers without leaving any identifying marks on the ballot.

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