
**State Government & Tribal
Affairs Committee**

HB 1534

Brief Description: Modifying provisions affecting candidates for elective office.

Sponsors: Representatives Hunt, Williams, Armstrong and Moeller; by request of Secretary of State.

Brief Summary of Bill

- Changes the process for minor party and independent candidate nomination and revises candidate filing procedures.

Hearing Date: 2/6/07

Staff: Marsha Reilly (786-7135).

Background:

Candidate Nominations

Minor party and independent candidate nominations for partisan public office must be made at a convention held between the first and second Saturday in May or during any of the five days after the close of a special filing period opened for purposes of filling a vacancy in office. Minor party and independent candidate nominations for president and vice president of the United States must be made at a convention held between the first Saturday in June and the fourth Saturday in July. In order to be nominated, a candidate for the offices of president and vice president of the United States, United States senator, United States representative, or any statewide office must obtain the signatures of at least 1000 registered voters in the state. For all other offices, a candidate must obtain the signatures of 100 persons registered to vote in the jurisdiction of the office the candidate seeks.

Candidate Filing

A candidate for the Legislature, the court of appeals, and the superior court whose district is comprised of voters within one county has the option of filing a declaration of candidacy with either the Office of the Secretary of State (Secretary) or the county auditor. If the district is

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

comprised of voters from two or more counties, the declaration of candidacy must be filed with the Secretary.

Candidates for a city or town elective position must file a declaration of candidacy with the appropriate county auditor prior to the primary election. Any candidate may withdraw his or her declaration of candidacy at any time before the primary if the primary ballots have not been ordered.

Candidates may withdraw declarations of candidacy at any time before the close of business on the Thursday following the last day for candidates to file. A candidate for precinct committee officer may withdraw at any time if no absentee ballots have been issued for that office and the ballots for that precinct have not been printed.

The office of precinct committee officer must be voted upon at the primary and the candidate receiving the highest number of votes is declared elected. However, to be declared elected, a candidate must receive at least 10 percent of the highest number of votes cast for a candidate in the precinct of the same party.

Summary of Bill:

Candidate Nominations

Minor party and independent candidate nominations for partisan public office are made through a petition process, rather than by convention. Nominating petitions must contain a minimum of: 1,000 signatures made by registered voters of the state if the nomination is for president and vice president of the United States, United States senator, or statewide office; 500 signatures made by registered voters of the jurisdiction of the office if the nomination is for United States representative; or 100 signatures made by registered voters of the jurisdiction of the office if the nomination is for any other partisan office. If the nomination is for president and vice president of the United States, the petition must contain a sworn statement from both nominees consenting to the nomination.

Candidate Filing

A candidate for the Legislature, the court of appeals, and the superior court whose district is comprised of voters within one county must file a declaration of candidacy with the county auditor.

The declaration of candidacy form must include a declaration that a candidate for Congress will be a resident of the state at the time of the election.

Candidates for a city or town elective position must file a declaration of candidacy with the county auditor not more than 45 nor less than 30 days prior to the primary election. Candidates may withdraw a declaration of candidacy within five days after the last day allowed for filing declarations of candidacy.

A candidate for precinct committee officer (PCO) must withdraw a declaration of candidacy at the same time as for other candidates, the close of business on the Thursday following the last day for candidate filing.

Precinct committee officer candidates are deemed to be elected immediately if only one person files. If no candidate files for the position, the position shall be appointed by the party. The

requirement that a PCO is elected only if the candidate receives at least 10 percent of the highest number of votes in any race of the same party is removed.

Appropriation: None.

Fiscal Note: Available.

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