

HOUSE BILL REPORT

HB 1510

As Reported by House Committee On:
Government Operations & Elections

Title: An act relating to write-in voting.

Brief Description: Modifying write-in voting provisions.

Sponsors: Representative Appleton.

Brief History:

Committee Activity:

Government Operations & Elections: 2/13/13, 2/19/13 [DP], 1/22/14, 1/24/14 [DPS].

Brief Summary of Substitute Bill

- Requires write-in candidates to file a declaration of candidacy 18 days before a primary or election.

HOUSE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives S. Hunt, Chair; Bergquist, Vice Chair; Taylor, Ranking Minority Member; Carlyle, Christian, Manweller, Orwall, Robinson and Van De Wege.

Minority Report: Do not pass. Signed by 1 member: Representative Young, Assistant Ranking Minority Member.

Staff: Marsha Reilly (786-7135).

Background:

Election law allows any person to file for an office as a write-in candidate. Write-in candidates may file a declaration of candidacy for the office, but are not required to do so. A person may not file as a write-in candidate under the following conditions:

- the person attempting to file has filed as a write-in candidate for the same office or the person's name appeared on the ballot for the same office at the preceding primary;

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- the person attempting to file has already filed a valid write-in declaration for that primary or election;
- the name of the person attempting to file already appears on the ballot as a candidate for another office, other than precinct committee officer; or
- the office filed for is committee precinct officer.

The number of write-in votes cast for each office must be recorded and reported with the canvass for the election. A write-in vote for an individual candidate is not tabulated unless:

- the difference between the number of votes cast for the two candidates receiving the most votes and the write-in candidate is less than the total number of write-in votes for the office; or
- a manual recount is conducted for that office.

Summary of Substitute Bill:

A write-in candidate must file a declaration of candidacy for an office no later than 18 days before the primary or election. Write-in votes cast for any person who has not filed a declaration of candidacy are not valid.

Substitute Bill Compared to Original Bill:

The substitute bill includes technical corrections necessary to conform statutes in the bill with changes made in 2013.

Appropriation: None.

Fiscal Note: Not requested.

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

Staff Summary of Public Testimony:

(In support) The bill assists with the administrative process and voter knowledge. Regarding administrative process, auditors would not have to count votes for write-in candidates such as "Donald Duck" or "Mickey Mouse," and other extraneous names. Every time there is a write-in vote, it must be recorded. Write-in candidates must receive 1 percent of the vote for the office in order to be eligible for the general election ballot. In terms of voter knowledge, it provides the voters within the jurisdiction the ability to know who the candidates are. Voters would know that the people campaigning are actually candidates. On several occasions write-in candidates have won elections. Last November a candidate that was on the ballot moved out of county and therefore was no longer eligible. Two write-in candidates did not file before the ballots went out. The candidate on the ballot won, and then had to

resign. The names of write-in candidates can be added to websites and may submit candidate statements.

(Opposed) Voting and having your vote count is not just about the candidate, it is also about the voter's right. To have your vote counted, one must file the declaration and a filing fee makes it difficult for some people.

Persons Testifying: (In support) Jerry Pettit, Washington State Association of County Auditors.

(Opposed) Rebecca Faust.

Persons Signed In To Testify But Not Testifying: None.