H-0953.1   _____

SUBSTITUTE HOUSE BILL 1195
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State of Washington   **63rd Legislature**   **2013 Regular Session**

By House Government Operations & Elections (originally sponsored by Representatives Wylie, Buys, Hunt, Van De Wege, Appleton, Orwall, Ryu, and Jinkins)

READ FIRST TIME 02/15/13.

1   AN ACT Relating to candidate names on the primary ballot; amending
2 RCW 29A.36.131; reenacting and amending RCW 29A.36.170; and repealing
3 RCW 29A.52.010, 29A.52.011, and 29A.52.220.

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

5   **Sec. 1.** RCW 29A.36.131 and 2011 c 10 s 32 are each amended to read
6 as follows:
7   After the close of business on the last day for candidates to file
8 for office, the filing officer shall((, from among those filings made
9 in person and by mail,)) determine by lot the order in which the names
10 of those candidates will appear on all ballots. The determination
11 shall be done publicly and may be witnessed by the media and by any
12 candidate. ((If no primary is required for any nonpartisan office
13 under RCW 29A.52.011 or 29A.52.220, or if any independent or minor
14 party candidate files a declaration of candidacy, the names shall
15 appear on the general election ballot in the order determined by lot.))

16   **Sec. 2.** RCW 29A.36.170 and 2005 c 2 s 6 and 2003 c 111 s 917 are
17 each reenacted and amended to read as follows:
18   (1) ((For any office for which a primary was held, only)) The names

1   of the top two candidates <u>qualified at the preceding primary</u> will
2   appear on the general election ballot; the name of the candidate who
3   received the greatest number of votes will appear first and the
4   candidate who received the next greatest number of votes will appear
5   second. No candidate's name may be printed on the subsequent general
6   election ballot unless he or she receives at least one percent of the
7   total votes cast for that office at the preceding primary((~~, if a~~
8   ~~primary was conducted. On the ballot at the general election for an~~
9   ~~office for which no primary was held, the names of the candidates shall~~
10   ~~be listed in the order determined under RCW 29A.36.130~~)).
11   (2) For the office of justice of the supreme court, judge of the
12   court of appeals, judge of the superior court, <u>judge of the district</u>
13   <u>court,</u> or state superintendent of public instruction, if a candidate in
14   a contested primary receives a majority of all the votes cast for that
15   office or position, only the name of that candidate may be printed for
16   that position on the ballot at the general election.

17   <u>NEW SECTION.</u> **Sec. 3.** The following acts or parts of acts are each
18   repealed:
19   (1) RCW 29A.52.010 (Elections to fill unexpired term--No primary,
20   when) and 2005 c 2 s 13 & 2003 c 111 s 1301;
21   (2) RCW 29A.52.011 (Elections to fill unexpired term--No primary,
22   when) and 2006 c 344 s 14 & 2004 c 271 s 172; and
23   (3) RCW 29A.52.220 (When no local primary permitted--Procedure--
24   Expiration of subsection) and 2005 c 153 s 10 & 2003 c 111 s 1306.

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