
SUBSTITUTE HOUSE BILL 1510

State of Washington 63rd Legislature 2014 Regular Session

By House Government Operations & Elections (originally sponsored by Representative Appleton)

READ FIRST TIME 01/28/14.

1 AN ACT Relating to write-in voting; and amending RCW 29A.24.311 and
2 29A.60.021.

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

4 **Sec. 1.** RCW 29A.24.311 and 2013 c 11 s 91 are each amended to read
5 as follows:

6 (1) Any person who desires to be a write-in candidate and have such
7 votes counted at a primary or election (~~((may))~~) must file a declaration
8 of candidacy with the officer designated in RCW 29A.24.070 not later
9 than (~~((the))~~) eighteen days (~~((ballots must be mailed according to RCW~~
10 ~~29A.40.070))~~) before the primary or election. Declarations of candidacy
11 for write-in candidates must be accompanied by a filing fee in the same
12 manner as required of other candidates filing for the office as
13 provided in RCW 29A.24.091.

14 (2) Votes cast for write-in candidates who have filed such
15 declarations of candidacy need only specify the name of the candidate
16 in the appropriate location on the ballot in order to be counted.
17 (~~((Write in votes cast for any other candidate, in order to be counted,~~
18 ~~must designate the office sought and position number, if the manner in~~

1 ~~which the write-in is done does not make the office or position~~
2 ~~clear.))~~

3 (3) No person may file as a write-in candidate where:

4 (a) At a general election, the person attempting to file either
5 filed as a write-in candidate for the same office at the preceding
6 primary or the person's name appeared on the ballot for the same office
7 at the preceding primary;

8 (b) The person attempting to file as a write-in candidate has
9 already filed a valid write-in declaration for that primary or
10 election;

11 (c) The name of the person attempting to file already appears on
12 the ballot as a candidate for another office, unless the other office
13 is precinct committee officer or a temporary elected position, such as
14 charter review board member or freeholder;

15 (d) The office filed for is committee precinct officer.

16 (4) The declaration of candidacy shall be similar to that required
17 by RCW 29A.24.031. No write-in candidate filing under this section may
18 be included in any voter's pamphlet produced under chapter 29A.32 RCW
19 unless that candidate qualifies to have his or her name printed on the
20 general election ballot. The legislative authority of any jurisdiction
21 producing a local voter's pamphlet under chapter 29A.32 RCW may
22 provide, by ordinance, for the inclusion of write-in candidates in such
23 pamphlets.

24 **Sec. 2.** RCW 29A.60.021 and 2012 c 89 s 4 are each amended to read
25 as follows:

26 (1) For any office, except precinct committee officer, at any
27 election or primary, any voter may write in on the ballot the name of
28 any person for an office who has filed as a write-in candidate for the
29 office in the manner provided by RCW 29A.24.311 and such vote shall be
30 counted the same as if the name had been printed on the ballot and
31 marked by the voter. ~~((No))~~ Write-in votes ~~((made))~~ for any person who
32 has not filed a declaration of candidacy pursuant to RCW 29A.24.311
33 ~~((is))~~ are not valid ~~((if that person filed for the same office, either~~
34 ~~as a regular candidate or a write-in candidate, at the preceding~~
35 ~~primary))~~. Any abbreviation used to designate office or position will
36 be accepted if the canvassing board can determine, to its satisfaction,
37 the voter's intent.

1 (2) The number of write-in votes cast for each office must be
2 recorded and reported with the canvass for the election.

3 (3) A write-in vote for an individual candidate for an office whose
4 name appears on the ballot for that same office is a valid vote for
5 that candidate as long as the candidate's name is clearly discernible,
6 even if other requirements of RCW 29A.24.311 are not satisfied and even
7 if the voter also marked a vote for that candidate such as to register
8 an overvote. These votes need not be tabulated unless: (a) The
9 difference between the number of votes cast for the candidate
10 apparently qualified to appear on the general election ballot or
11 elected and the candidate receiving the next highest number of votes is
12 less than the sum of the total number of write-in votes cast for the
13 office plus the overvotes and undervotes recorded by the vote
14 tabulating system; or (b) a manual recount is conducted for that
15 office.

16 (4) Write-in votes cast for an individual candidate for an office
17 whose name does not appear on the ballot need not be tallied unless the
18 total number of write-in votes and undervotes recorded by the vote
19 tabulation system for the office is greater than the number of votes
20 cast for the candidate apparently qualified to appear on the general
21 election ballot or elected.

22 (5) In the case of write-in votes for a statewide office or any
23 office whose jurisdiction encompasses more than one county, write-in
24 votes for an individual candidate must be tallied when the county
25 auditor is notified by either the secretary of state or another county
26 auditor in the multicounty jurisdiction that it appears that the write-
27 in votes must be tabulated under the terms of this section. In all
28 other cases, the county auditor determines when write-in votes must be
29 tabulated. Any abstract of votes must be modified to reflect the
30 tabulation and certified by the canvassing board. Tabulation of write-
31 in votes may be performed simultaneously with a recount.

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