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**SENATE BILL 5518**

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**State of Washington**

**63rd Legislature**

**2013 Regular Session**

**By** Senators Roach, Darneille, Sheldon, and Hatfield; by request of Secretary of State

Read first time 02/01/13. Referred to Committee on Governmental Operations.

1        AN ACT Relating to making nonsubstantive changes to election laws;  
2 amending RCW 29A.04.008, 29A.04.013, 29A.04.079, 29A.04.086,  
3 29A.04.097, 29A.04.169, 29A.04.216, 29A.04.321, 29A.04.330, 29A.04.410,  
4 29A.04.420, 29A.08.020, 29A.08.220, 29A.08.230, 29A.08.260, 29A.08.330,  
5 29A.08.340, 29A.08.350, 29A.08.820, 29A.12.005, 29A.12.080, 29A.12.120,  
6 29A.12.150, 29A.20.021, 29A.20.111, 29A.20.121, 29A.20.161, 29A.20.191,  
7 29A.24.020, 29A.24.031, 29A.24.101, 29A.24.320, 29A.28.041, 29A.28.050,  
8 29A.28.061, 29A.32.100, 29A.32.210, 29A.36.010, 29A.36.060, 29A.36.101,  
9 29A.36.121, 29A.36.131, 29A.36.161, 29A.36.201, 29A.40.010, 29A.52.112,  
10 29A.52.210, 29A.52.321, 29A.52.355, 29A.56.040, 29A.56.210, 29A.56.320,  
11 29A.56.360, 29A.56.490, 29A.60.010, 29A.60.060, 29A.60.110, 29A.60.160,  
12 29A.60.165, 29A.60.240, 29A.60.250, 29A.64.021, 29A.64.030, 29A.64.050,  
13 29A.64.061, 29A.64.090, 29A.68.011, 29A.68.020, 29A.72.080, 29A.72.130,  
14 29A.72.250, 29A.72.290, 29A.76.020, 29A.76.030, 29A.80.020, 29A.84.210,  
15 29A.84.261, 29A.84.510, 29A.84.520, 29A.84.711, 29A.88.020, 29A.88.040,  
16 42.12.040, 42.12.070, 46.20.155, 29A.24.311, and 29A.36.040; reenacting  
17 and amending RCW 29A.36.170, 29A.40.070, 29A.40.091, and 35.17.020;  
18 reenacting RCW 29A.08.520; adding a new section to chapter 29A.08 RCW;  
19 adding new sections to chapter 29A.24 RCW; adding new sections to  
20 chapter 29A.60 RCW; adding new sections to chapter 29A.56 RCW; adding  
21 a new section to chapter 29A.80 RCW; adding a new section to chapter

1 29A.16 RCW; recodifying RCW 29A.04.240, 29A.20.010, 29A.20.021,  
2 29A.20.030, 29A.20.040, 29A.20.111, 29A.20.121, 29A.20.131, 29A.20.151,  
3 29A.20.161, 29A.20.171, 29A.20.181, 29A.20.191, 29A.28.071, and  
4 29A.76.030; repealing RCW 7.16.370, 29A.04.225, 29A.08.250, 29A.08.785,  
5 29A.12.170, 29A.20.141, 29A.20.201, 29A.24.030, 29A.24.120, 29A.28.011,  
6 29A.28.021, 29A.32.036, 29A.32.050, 29A.36.050, 29A.36.104, 29A.36.106,  
7 29A.36.171, 29A.36.191, 29A.52.011, 29A.52.106, 29A.52.111, 29A.52.116,  
8 29A.52.130, 29A.52.141, 29A.52.151, 29A.53.010, 29A.53.020, 29A.53.030,  
9 29A.53.040, 29A.53.050, 29A.53.060, 29A.53.070, 29A.53.080, 29A.53.090,  
10 29A.53.900, 29A.53.901, 29A.53.902, 29A.80.011, 44.04.015, and  
11 49.28.120; and repealing 2009 c 369 s 27.

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

13 **Sec. 1.** RCW 29A.04.008 and 2011 c 10 s 1 are each amended to read  
14 as follows:

15 As used in this title:

16 (1) "Ballot" means, as the context implies, either:

17 (a) The issues and offices to be voted upon in a jurisdiction or  
18 portion of a jurisdiction at a particular primary, general election, or  
19 special election;

20 (b) A facsimile of the contents of a particular ballot whether  
21 printed on a paper ballot or ballot card or as part of a voting machine  
22 or voting device;

23 (c) A physical or electronic record of the choices of an individual  
24 voter in a particular primary, general election, or special election;  
25 or

26 (d) The physical document on which the voter's choices are to be  
27 recorded;

28 (2) "Paper ballot" means a piece of paper on which the ballot for  
29 a particular election or primary has been printed, on which a voter may  
30 record his or her choices for any candidate or for or against any  
31 measure, and that is to be tabulated manually;

32 (3) "Ballot card" means any type of card or piece of paper of any  
33 size on which a voter may record his or her choices for any candidate  
34 and for or against any measure and that is to be tabulated on a vote  
35 tallying system;

1 (4) "Sample ballot" means a printed facsimile of all the issues and  
2 offices on the ballot in a jurisdiction and is intended to give voters  
3 notice of the issues, offices, and candidates that are to be voted on  
4 at a particular primary, general election, or special election;

5 (5) "Provisional ballot" means a ballot issued to a voter who would  
6 otherwise be denied an opportunity to vote a regular ballot, for any  
7 reason authorized by the Help America Vote Act, including but not  
8 limited to the following:

9 (a) The voter's name does not appear in the list of registered  
10 voters for the county;

11 (b) There is an indication in the voter registration system that  
12 the voter has already voted in that primary, special election, or  
13 general election, but the voter wishes to vote again;

14 (c) There is a question on the part of the voter concerning the  
15 issues or candidates on which the voter is qualified to vote;

16 (d) Any other reason allowed by law((+)

17 ~~(6) "Party ballot" means a primary election ballot specific to a  
18 particular major political party that lists all candidates for partisan  
19 office who affiliate with that same major political party, as well as  
20 the nonpartisan races and ballot measures to be voted on at that  
21 primary;~~

22 ~~(7) "Nonpartisan ballot" means a primary election ballot that lists  
23 all nonpartisan races and ballot measures to be voted on at that  
24 primary).~~

25 **Sec. 2.** RCW 29A.04.013 and 2011 c 10 s 2 are each amended to read  
26 as follows:

27 "Canvassing" means the process of examining ballots or groups of  
28 ballots, subtotals, and cumulative totals in order to determine the  
29 official returns of a primary, special, or general election and  
30 includes the tabulation of any votes that were not previously  
31 tabulated.

32 **Sec. 3.** RCW 29A.04.079 and 2009 c 369 s 1 are each amended to read  
33 as follows:

34 An "infamous crime" is a crime punishable by death in the state  
35 penitentiary or imprisonment in a state or federal correctional

1 facility. Neither an adjudication in juvenile court pursuant to  
2 chapter 13.40 RCW, nor a conviction for a misdemeanor or gross  
3 misdemeanor, is an "infamous crime."

4 **Sec. 4.** RCW 29A.04.086 and 2004 c 271 s 103 are each amended to  
5 read as follows:

6 "Major political party" means a political party (~~(of which at least~~  
7 ~~one))~~ whose nominees for president(~~(7)~~) and vice president(~~(7, United~~  
8 ~~States senator, or a statewide office))~~ received at least five percent  
9 of the total vote cast at the last (~~(preceding state general election~~  
10 ~~in an even-numbered year))~~ presidential election. A political party  
11 qualifying as a major political party under this section retains such  
12 status until the next (~~(even-year))~~ presidential election at which (~~(a~~  
13 ~~candidate))~~ the presidential and vice presidential candidates of that  
14 party (~~(does))~~ do not achieve at least five percent of the vote (~~(for~~  
15 ~~one of the previously specified offices))~~. (~~(If none of these offices~~  
16 ~~appear on the ballot in an even-year general election, the major party~~  
17 ~~retains its status as a major party through that election. However, a~~  
18 ~~political party of which no nominee received at least ten percent of~~  
19 ~~the total vote cast may forgo its status as a major political party by~~  
20 ~~filing with the secretary of state an appropriate party rule within~~  
21 ~~sixty days of attaining major party status under this section, or~~  
22 ~~within fifteen days of June 10, 2004, whichever is later.))~~)

23 **Sec. 5.** RCW 29A.04.097 and 2003 c 111 s 116 are each amended to  
24 read as follows:

25 "Minor political party" means a political organization (~~(other than~~  
26 ~~a major political party))~~ whose nominees for president and vice  
27 president qualified to appear on the ballot at the last presidential  
28 election under RCW 29A.20.191 (as recodified by this act). A minor  
29 political party retains such status until certification of the next  
30 presidential election.

31 **Sec. 6.** RCW 29A.04.169 and 2003 c 111 s 130 are each amended to  
32 read as follows:

33 "Short term" means the brief period of time starting upon (~~(the~~  
34 ~~completion of the))~~ certification of the general election (~~(returns))~~  
35 or issuance of a certificate of election, and ending with the start of

1 the next full term, and is applicable only when (~~the office concerned~~  
2 ~~is being held by an appointee to fill a vacancy. The vacancy must have~~  
3 ~~occurred~~) there has been a vacancy in the office after the last  
4 election at which such office could have been voted upon for an  
5 unexpired term. Short term elections are always held in conjunction  
6 with elections for the full term for the office.

7 **Sec. 7.** RCW 29A.04.216 and 2011 c 10 s 6 are each amended to read  
8 as follows:

9 The county auditor of each county shall be ex officio the  
10 supervisor of all primaries and elections, general or special, and it  
11 shall be the county auditor's duty to provide places for holding such  
12 primaries and elections; to provide the supplies and materials  
13 necessary for the conduct of elections; and to publish and post notices  
14 of calling such primaries and elections in the manner provided by law.  
15 (~~The notice of a primary held in an even-numbered year must indicate~~  
16 ~~that the office of precinct committee officer will be on the ballot.~~)  
17 The auditor shall also apportion to each city, town, or district, and  
18 to the state of Washington in the odd-numbered year, its share of the  
19 expense of such primaries and elections. This section does not apply  
20 to general or special elections for any city, town, or district that is  
21 not subject to RCW 29A.04.321 and 29A.04.330, but all such elections  
22 must be held and conducted at the time, in the manner, and by the  
23 officials (with such notice, requirements for filing for office, and  
24 certifications by local officers) as provided and required by the laws  
25 governing such elections.

26 **Sec. 8.** RCW 29A.04.321 and 2011 c 349 s 3 are each amended to read  
27 as follows:

28 (1) All state, county, city, town, and district general elections  
29 for the election of federal, state, legislative, judicial, county,  
30 city, town, and district officers, and for the submission to the voters  
31 of the state, county, city, town, or district of any measure for their  
32 adoption and approval or rejection, shall be held on the first Tuesday  
33 after the first Monday of November, in the year in which they may be  
34 called. A statewide general election shall be held on the first  
35 Tuesday after the first Monday of November of each year. However, the  
36 statewide general election held in odd-numbered years shall be limited

1 to (a) city, town, and district general elections as provided for in  
2 RCW 29A.04.330, or as otherwise provided by law; (b) the election of  
3 federal officers for the remainder of any unexpired terms in the  
4 membership of either branch of the Congress of the United States; (c)  
5 the election of state and county officers for the remainder of any  
6 unexpired terms of offices created by or whose duties are described in  
7 Article II, section 15, Article III, sections 16, 17, 19, 20, 21, 22,  
8 and 23, and Article IV, sections 3 and 5 of the state Constitution and  
9 RCW 2.06.080; (d) the election of county officers in any county  
10 governed by a charter containing provisions calling for general county  
11 elections at this time; and (e) the approval or rejection of state  
12 measures, including proposed constitutional amendments, matters  
13 pertaining to any proposed constitutional convention, initiative  
14 measures and referendum measures proposed by the electorate, referendum  
15 bills, and any other matter provided by the legislature for submission  
16 to the electorate.

17 (2) A county legislative authority may call a special county  
18 election by presenting a resolution to the county auditor prior to the  
19 proposed election date. A special election called by the county  
20 legislative authority shall be held on one of the following dates as  
21 decided by such governing body:

22 (a) The second Tuesday in February;

23 (b) The ~~((third Tuesday in April until January 1, 2013;~~

24 ~~(e) The)) fourth Tuesday in April ~~((on or after January 1, 2013))~~;~~

25 ~~((d))~~ (c) The day of the primary as specified by RCW 29A.04.311;

26 or

27 ~~((e))~~ (d) The first Tuesday after the first Monday in November.

28 (3) A resolution calling for a special election on a date set forth  
29 in subsection (2)(a) ~~((through (e)))~~ and (b) of this section must be  
30 presented to the county auditor at least forty-six days prior to the  
31 election date. A resolution calling for a special election on a date  
32 set forth in subsection (2)~~((d))~~ (c) of this section must be  
33 presented to the county auditor no later than the Friday immediately  
34 before the first day of regular candidate filing. A resolution calling  
35 for a special election on a date set forth in subsection (2)~~((e))~~ (d)  
36 of this section must be presented to the county auditor no later than  
37 the day of the primary.

1 (4) In addition to the dates set forth in subsection (2)(a) through  
2 (~~(e)~~) (d) of this section, a special election to validate an excess  
3 levy or bond issue may be called at any time to meet the needs  
4 resulting from fire, flood, earthquake, or other act of God. Such  
5 county special election shall be noticed and conducted in the manner  
6 provided by law.

7 (5) This section shall supersede the provisions of any and all  
8 other statutes, whether general or special in nature, having different  
9 dates for such city, town, and district elections, the purpose of this  
10 section being to establish mandatory dates for holding elections. This  
11 section shall not be construed as fixing the time for holding primary  
12 elections, or elections for the recall of any elective public officer.

13 **Sec. 9.** RCW 29A.04.330 and 2011 c 349 s 4 are each amended to read  
14 as follows:

15 (1) All city, town, and district general elections shall be held  
16 throughout the state of Washington on the first Tuesday following the  
17 first Monday in November in the odd-numbered years.

18 This section shall not apply to:

19 (a) Elections for the recall of any elective public officer;

20 (b) Public utility districts, conservation districts, or district  
21 elections at which the ownership of property within those districts is  
22 a prerequisite to voting, all of which elections shall be held at the  
23 times prescribed in the laws specifically applicable thereto;

24 (c) Consolidation proposals as provided for in RCW 28A.315.235 and  
25 nonhigh capital fund aid proposals as provided for in chapter 28A.540  
26 RCW; and

27 (d) Special flood control districts consisting of three or more  
28 counties.

29 (2) The county auditor, as ex officio supervisor of elections, upon  
30 request in the form of a resolution of the governing body of a city,  
31 town, or district, presented to the auditor prior to the proposed  
32 election date, (~~may~~) shall call a special election in such city,  
33 town, or district, and for the purpose of such special election he or  
34 she may combine, unite, or divide precincts. Such a special election  
35 shall be held on one of the following dates as decided by the governing  
36 body:

37 (a) The second Tuesday in February;

1           (b) The ~~((third Tuesday in April until January 1, 2013;~~  
2           ~~(e) The))~~ fourth Tuesday in April ~~((on or after January 1, 2013))~~;  
3           ~~((d))~~ (c) The day of the primary election as specified by RCW  
4 29A.04.311; or

5           ~~((e))~~ (d) The first Tuesday after the first Monday in November.

6           (3) A resolution calling for a special election on a date set forth  
7 in subsection (2)(a) ~~((through (e)))~~ and (b) of this section must be  
8 presented to the county auditor at least forty-six days prior to the  
9 election date. A resolution calling for a special election on a date  
10 set forth in subsection (2)~~((d))~~ (c) of this section must be  
11 presented to the county auditor no later than the Friday immediately  
12 before the first day of regular candidate filing. A resolution calling  
13 for a special election on a date set forth in subsection (2)~~((e))~~ (d)  
14 of this section must be presented to the county auditor no later than  
15 the day of the primary.

16           (4) In addition to subsection (2)(a) through ~~((e))~~ (d) of this  
17 section, a special election to validate an excess levy or bond issue  
18 may be called at any time to meet the needs resulting from fire, flood,  
19 earthquake, or other act of God, except that no special election may be  
20 held between the first day for candidates to file for public office and  
21 the last day to certify the returns of the general election other than  
22 as provided in subsection (2)~~((d))~~ (c) and ~~((e))~~ (d) of this  
23 section. Such special election shall be conducted and notice thereof  
24 given in the manner provided by law.

25           (5) This section shall supersede the provisions of any and all  
26 other statutes, whether general or special in nature, having different  
27 dates for such city, town, and district elections, the purpose of this  
28 section being to establish mandatory dates for holding elections.

29           **Sec. 10.** RCW 29A.04.410 and 2003 c 111 s 146 are each amended to  
30 read as follows:

31           Every city, town, and district is liable for its proportionate  
32 share of the costs when such elections are held in conjunction with  
33 other elections held under RCW ~~((29A.04.320))~~ 29A.04.321 and  
34 29A.04.330.

35           Whenever any city, town, or district holds any primary or election,  
36 general or special, on an isolated date, all costs of such elections  
37 must be borne by the city, town, or district concerned.



1 The purpose of this section is to clearly establish that the county  
2 is not responsible for any costs involved in the holding of any city,  
3 town, or district election.

4 In recovering such election expenses, including a reasonable pro-  
5 ration of administrative costs, the county auditor shall certify the  
6 cost to the county treasurer with a copy to the clerk or auditor of the  
7 city, town, or district concerned. Upon receipt of such certification,  
8 the county treasurer shall make the transfer from any available and  
9 appropriate city, town, or district funds to the county current expense  
10 fund or to the county election reserve fund if such a fund is  
11 established. Each city, town, or district must be promptly notified by  
12 the county treasurer whenever such transfer has been completed.  
13 However, in those districts wherein a treasurer, other than the county  
14 treasurer, has been appointed such transfer procedure does not apply,  
15 but the district shall promptly issue its warrant for payment of  
16 election costs.

17 **Sec. 11.** RCW 29A.04.420 and 2003 c 111 s 147 are each amended to  
18 read as follows:

19 (1) Whenever state officers or measures are voted upon at a state  
20 primary or general election held in an odd-numbered year under RCW  
21 (~~29A.04.320~~) 29A.04.321, the state of Washington shall assume a  
22 prorated share of the costs of that state primary or general election.

23 (2) Whenever a primary or vacancy election is held to fill a  
24 vacancy in the position of United States senator or United States  
25 representative under chapter 29A.28 RCW, the state of Washington shall  
26 assume a prorated share of the costs of that primary or vacancy  
27 election.

28 (3) The county auditor shall apportion the state's share of these  
29 expenses when prorating election costs under RCW 29A.04.410 and shall  
30 file such expense claims with the secretary of state.

31 (4) The secretary of state shall include in his or her biennial  
32 budget requests sufficient funds to carry out this section.  
33 Reimbursements for election costs shall be from appropriations  
34 specifically provided by law for that purpose.

35 **Sec. 12.** RCW 29A.08.020 and 2004 c 267 s 103 are each amended to  
36 read as follows:

1 The definitions set forth in this section apply throughout this  
2 chapter, unless the context clearly requires otherwise.

3 (1) "By mail" means delivery of a completed original voter  
4 registration application by mail to a county auditor or the office of  
5 the secretary of state.

6 (2) For voter registration applicants, "date of mailing" means the  
7 date of the postal cancellation on the voter registration application.  
8 This date will also be used as the date of application for the purpose  
9 of meeting the registration cutoff deadline. If the postal  
10 cancellation date is illegible then the date of receipt by the  
11 elections official is considered the date of application. If an  
12 application is received by (~~the elections official~~) a county auditor  
13 or the office of the secretary of state by the close of business on the  
14 fifth day after the cutoff date for voter registration and the postal  
15 cancellation date is illegible, the application will be considered to  
16 have arrived by the cutoff date for voter registration.

17 **Sec. 13.** RCW 29A.08.220 and 2004 c 267 s 115 are each amended to  
18 read as follows:

19 (1) The secretary of state shall specify by rule the format of all  
20 voter registration applications. These applications shall be  
21 compatible with existing voter registration records. An applicant for  
22 voter registration shall be required to complete only one application  
23 and to provide the required information other than his or her signature  
24 no more than one time. These applications shall also contain  
25 information for the voter to (~~transfer~~) update his or her  
26 registration.

27 (2) Any application format specified by the secretary for use in  
28 registering to vote in state and local elections shall satisfy the  
29 requirements of the National Voter Registration Act of 1993 (P.L. 103-  
30 31) and the Help America Vote Act of 2002 (P.L. 107-252) for  
31 registering to vote in federal elections.

32 (~~(2) All registration applications required under RCW 29A.08.210~~  
33 ~~and 29A.08.340 shall be produced and furnished by the secretary of~~  
34 ~~state to the county auditors and the department of licensing.))~~

35 **Sec. 14.** RCW 29A.08.230 and 2009 c 369 s 17 are each amended to  
36 read as follows:

1 For all voter registrations, the registrant shall sign the  
2 following oath:

3 "I declare that the facts on this voter registration form are true.  
4 I am a citizen of the United States, I am not (~~presently denied the~~  
5 ~~right to vote as a result of being convicted of a felony~~) under the  
6 authority of the department of corrections for a Washington felony  
7 conviction, I am not disqualified from voting due to a court order, I  
8 will have lived in Washington at this address for thirty days  
9 immediately before the next election at which I vote, and I will be at  
10 least eighteen years old when I vote."

11 **Sec. 15.** RCW 29A.08.260 and 2009 c 369 s 18 are each amended to  
12 read as follows:

13 (1) All registration applications required under RCW 29A.08.210 and  
14 29A.08.340 shall be produced and furnished by the secretary of state to  
15 the county auditors and the department of licensing.

16 (2) The county auditor shall distribute forms by which a person may  
17 register to vote by mail and transfer any previous registration in this  
18 state. The county auditor shall keep a supply of voter registration  
19 forms in his or her office at all times for political parties and  
20 others interested in assisting in voter registration, and shall make  
21 every effort to make these forms generally available to the public.  
22 The county auditor shall provide voter registration forms to city and  
23 town clerks, state offices, schools, fire stations, public libraries,  
24 and any other locations considered appropriate by the auditor or  
25 secretary of state for extending registration opportunities to all  
26 areas of the county. After the initial distribution of voter  
27 registration forms to a given location, a representative designated by  
28 the official in charge of that location shall notify the county auditor  
29 of the need for additional voter registration supplies.

30 **Sec. 16.** RCW 29A.08.330 and 2009 c 369 s 20 are each amended to  
31 read as follows:

32 (1) The secretary of state shall prescribe the method of voter  
33 registration for each designated agency. The agency shall use either  
34 the state voter registration by mail form with a separate declination  
35 form for the applicant to indicate that he or she declines to register

1 at this time, or the agency may use a separate form approved for use by  
2 the secretary of state.

3 (2) The person providing service at the agency shall offer voter  
4 registration services to every client whenever he or she applies for  
5 service or assistance and with each renewal, recertification, or change  
6 of address. The person providing service shall give the applicant the  
7 same level of assistance with the voter registration application as is  
8 offered to fill out the agency's forms and documents, including  
9 information about age and citizenship requirements for voter  
10 registration.

11 (3) The person providing service at the agency shall determine if  
12 the prospective applicant wants to register to vote or (~~transfer~~)  
13 update his or her voter registration by asking the following question:

14 "Do you want to register to vote or (~~transfer~~) update your voter  
15 registration?"

16 If the applicant chooses to register or (~~transfer~~) update a  
17 registration, the service agent shall ask the following:

- 18 (a) "Are you a United States citizen?"
- 19 (b) "Are you or will you be eighteen years of age on or before the  
20 next election?"

21 If the applicant answers in the affirmative to both questions, the  
22 agent shall then provide the applicant with a voter registration form  
23 and instructions and shall record that the applicant has requested to  
24 register (~~to vote or transfer~~) or update a voter registration. If  
25 the applicant answers in the negative to either question, the agent  
26 shall not provide the applicant with a voter registration form.

27 (4) If an agency uses a computerized application process, it may,  
28 in consultation with the secretary of state, develop methods to capture  
29 simultaneously the information required for voter registration during  
30 a person's computerized application process.

31 (5) Each designated agency shall transmit the applications to the  
32 secretary of state or appropriate county auditor within three business  
33 days.

34 **Sec. 17.** RCW 29A.08.340 and 2003 c 111 s 225 are each amended to  
35 read as follows:

36 (1) A person may register to vote(~~, transfer a voter registration,~~

1 ~~or change his or her name for~~) or update his or her voter registration  
2 ((~~purposes~~)) when he or she applies for or renews a driver's license or  
3 identification card under chapter 46.20 RCW.

4 (2) To register to vote(~~(, transfer his or her voter registration,~~  
5 ~~or change his or her name for voter registration purposes under this~~  
6 ~~section~~)) or update a registration, the applicant shall provide the  
7 information required by RCW ((~~29A.08.210~~)) 29A.08.010.

8 (3) The driver licensing agent shall record that the applicant has  
9 requested to register to vote or ((~~transfer~~)) update a voter  
10 registration.

11 **Sec. 18.** RCW 29A.08.350 and 2009 c 369 s 21 are each amended to  
12 read as follows:

13 The department of licensing shall produce and transmit to the  
14 secretary of state the following information from the records of each  
15 individual who requested a voter registration or ((~~transfer~~)) update at  
16 a driver's license facility: The name, address, date of birth, gender  
17 of the applicant, the driver's license number, and the date on which  
18 the application for voter registration or ((~~transfer~~)) update was  
19 submitted. The secretary of state shall process the registrations and  
20 ((~~transfers~~)) updates as an electronic application.

21 **Sec. 19.** RCW 29A.08.520 and 2009 c 325 s 1 are each reenacted to  
22 read as follows:

23 (1) For a felony conviction in a Washington state court, the right  
24 to vote is provisionally restored as long as the person is not under  
25 the authority of the department of corrections. For a felony  
26 conviction in a federal court or any state court other than a  
27 Washington state court, the right to vote is restored as long as the  
28 person is no longer incarcerated.

29 (2)(a) Once the right to vote has been provisionally restored, the  
30 sentencing court may revoke the provisional restoration of voting  
31 rights if the sentencing court determines that a person has willfully  
32 failed to comply with the terms of his or her order to pay legal  
33 financial obligations.

34 (b) If the person has failed to make three payments in a  
35 twelve-month period and the county clerk or restitution recipient

1 requests, the prosecutor shall seek revocation of the provisional  
2 restoration of voting rights from the court.

3 (c) To the extent practicable, the prosecutor and county clerk  
4 shall inform a restitution recipient of the recipient's right to ask  
5 for the revocation of the provisional restoration of voting rights.

6 (3) If the court revokes the provisional restoration of voting  
7 rights, the revocation shall remain in effect until, upon motion by the  
8 person whose provisional voting rights have been revoked, the person  
9 shows that he or she has made a good faith effort to pay as defined in  
10 RCW 10.82.090.

11 (4) The county clerk shall enter into a database maintained by the  
12 administrator for the courts the names of all persons whose provisional  
13 voting rights have been revoked, and update the database for any person  
14 whose voting rights have subsequently been restored pursuant to  
15 subsection (6) of this section.

16 (5) At least twice a year, the secretary of state shall compare the  
17 list of registered voters to a list of felons who are not eligible to  
18 vote as provided in subsections (1) and (3) of this section. If a  
19 registered voter is not eligible to vote as provided in this section,  
20 the secretary of state or county auditor shall confirm the match  
21 through a date of birth comparison and suspend the voter registration  
22 from the official state voter registration list. The secretary of  
23 state or county auditor shall send to the person at his or her last  
24 known voter registration address and at the department of corrections,  
25 if the person is under the authority of the department, a notice of the  
26 proposed cancellation and an explanation of the requirements for  
27 provisionally and permanently restoring the right to vote and  
28 reregistering. To the extent possible, the secretary of state shall  
29 time the comparison required by this subsection to allow notice and  
30 cancellation of voting rights for ineligible voters prior to a primary  
31 or general election.

32 (6) The right to vote may be permanently restored by one of the  
33 following for each felony conviction:

34 (a) A certificate of discharge issued by the sentencing court, as  
35 provided in RCW 9.94A.637;

36 (b) A court order restoring the right, as provided in RCW 9.92.066;

37 (c) A final order of discharge issued by the indeterminate sentence  
38 review board, as provided in RCW 9.96.050; or

1 (d) A certificate of restoration issued by the governor, as  
2 provided in RCW 9.96.020.

3 (7) For the purposes of this section, a person is under the  
4 authority of the department of corrections if the person is:

5 (a) Serving a sentence of confinement in the custody of the  
6 department of corrections; or

7 (b) Subject to community custody as defined in RCW 9.94A.030.

8 **Sec. 20.** RCW 29A.08.820 and 2011 c 10 s 21 are each amended to  
9 read as follows:

10 (1) Challenges ~~((initiated by a registered voter against a voter~~  
11 ~~who)) must be filed with the county auditor of the county in which the~~  
12 ~~challenged voter is registered no later than forty-five days before the~~  
13 ~~election. The county auditor presides over the hearing.~~

14 (2) Only if the challenged voter registered to vote less than sixty  
15 days before the election, or ((who)) changed residence less than sixty  
16 days before the election without transferring his or her registration,  
17 ((must)) may a challenge be filed not later than ten days before any  
18 primary or election, general or special, or within ten days of the  
19 voter being added to the voter registration database, whichever is  
20 later(, ~~at the office of the appropriate county auditor. Challenges~~  
21 ~~initiated by a registered voter or county prosecuting attorney must be~~  
22 ~~filed not later than forty-five days before the election)).~~

23 ~~((+2))~~(a) If the challenge is filed within forty-five days before  
24 an election at which the challenged voter is eligible to vote, a  
25 notation of the challenge must be made immediately in the voter  
26 registration system, and the county canvassing board presides over the  
27 hearing.

28 (b) If the challenge is filed before the challenged voter's ballot  
29 is received, the ballot must be treated as a challenged ballot.

30 (c) If the challenge is filed after the challenged voter's ballot  
31 is received, the challenge cannot affect the current election.

32 ~~((3) If the challenge is filed at least forty five days before an~~  
33 ~~election at which the challenged voter is eligible to vote, the county~~  
34 ~~auditor presides over the hearing.))~~

35 **Sec. 21.** RCW 29A.12.005 and 2004 c 267 s 601 are each amended to  
36 read as follows:

1 As used in this chapter, "voting system" means:

2 (1) The total combination of mechanical, electromechanical, or  
3 electronic equipment including, but not limited to, the software,  
4 firmware, and documentation required to program, control, and support  
5 the equipment, that is used:

6 (a) To define ballots;

7 (b) To cast and count votes;

8 (c) To report or display election results from the voting system;

9 and

10 (d) To maintain and produce any audit trail information; and

11 (2) The practices and associated documentation used:

12 (a) To identify system components and versions of such components;

13 (b) To test the system during its development and maintenance;

14 (c) To maintain records of system errors and defects;

15 (d) To determine specific system changes to be made to a system  
16 after the initial qualification of the system; and

17 (e) To make available any materials to the voter such as notices,  
18 instructions, forms, or paper ballots.

19 **Sec. 22.** RCW 29A.12.080 and 2006 c 207 s 2 are each amended to  
20 read as follows:

21 No voting device shall be approved by the secretary of state unless  
22 it:

23 (1) Secures to the voter secrecy in the act of voting;

24 (2) Permits the voter to vote for any person for any office and  
25 upon any measure that he or she has the right to vote for;

26 ~~(3) ((Permits the voter to vote for all the candidates of one  
27 party;~~

28 ~~(4))~~ Correctly registers all votes cast for any and all persons  
29 and for or against any and all measures;

30 ~~((+5))~~ (4) Provides that a vote for more than one candidate cannot  
31 be cast by one single operation of the voting device or vote tally  
32 system except when voting for president and vice president of the  
33 United States; and

34 ~~((+6))~~ (5) Except for functions or capabilities unique to this  
35 state, has been tested and certified by an independent testing  
36 authority designated by the United States election assistance  
37 commission.



1           **Sec. 23.** RCW 29A.12.120 and 2011 c 10 s 24 are each amended to  
2 read as follows:

3           (1) Before each state primary or general election at which voting  
4 systems are to be used, the county auditor shall instruct all counting  
5 center personnel who will operate a voting system in the proper conduct  
6 of their voting system duties.

7           (2) The county auditor may waive instructional requirements for  
8 counting center personnel who have previously received instruction and  
9 who have served for a sufficient length of time to be fully qualified  
10 to perform their duties. The county auditor shall keep a record of  
11 each person who has received instruction and is qualified to serve at  
12 the subsequent primary or election.

13           (3) No person may (~~work~~) operate a voting system in a counting  
14 center at a primary or election (~~at which a vote tallying system is~~  
15 ~~used~~) unless that person has received the required instruction and is  
16 qualified to perform his or her duties in connection with the handling  
17 and tallying of ballots for that primary or election.

18           **Sec. 24.** RCW 29A.12.150 and 2003 c 111 s 315 are each amended to  
19 read as follows:

20           ~~((1) No voting device or machine may be used in a county with a~~  
21 ~~population of seventy thousand or more to conduct a primary or general~~  
22 ~~or special election in this state unless it correctly records on a~~  
23 ~~separate ballot the votes cast by each elector for any person and for~~  
24 ~~or against any measure and such separate ballots are available for~~  
25 ~~audit purposes after such a primary or election.~~

26           (2)) The secretary of state shall not certify under this title any  
27 voting device or machine for use in conducting a primary or general or  
28 special election in this state unless the device or machine correctly  
29 records on a separate ballot the votes cast by each elector for any  
30 person and for or against any measure and such separate ballots are  
31 available for audit purposes after such a primary or election.

32           **Sec. 25.** RCW 29A.20.021 and 2004 c 271 s 153 are each amended to  
33 read as follows:

34           (1) A person filing a declaration of candidacy for an office shall,  
35 at the time of filing, be a registered voter and possess the

1 qualifications specified by law for persons who may be elected to the  
2 office.

3 (2) Excluding the office of precinct committee officer or a  
4 temporary elected position such as a charter review board member or  
5 freeholder, no person may file for more than one office.

6 (3) The name of a candidate for an office shall not appear on a  
7 ballot for that office unless, except for judge of the superior court  
8 and as provided in RCW ((3.46.067 and)) 3.50.057, the candidate is, at  
9 the time the candidate's declaration of candidacy is filed, properly  
10 registered to vote in the geographic area represented by the office.  
11 For the purposes of this section, each geographic area in which  
12 registered voters may cast ballots for an office is represented by that  
13 office. If a person elected to an office must be nominated from a  
14 district or similar division of the geographic area represented by the  
15 office, the name of a candidate for the office shall not appear on a  
16 primary ballot for that office unless the candidate is, at the time the  
17 candidate's declaration of candidacy is filed, properly registered to  
18 vote in that district or division. The officer with whom declarations  
19 of candidacy must be filed under this title shall review each such  
20 declaration filed regarding compliance with this subsection.

21 (4) The requirements of voter registration and residence within the  
22 geographic area of a district do not apply to candidates for  
23 congressional office. Qualifications for the United States congress  
24 are specified in the United States Constitution.

25 **Sec. 26.** RCW 29A.20.111 and 2004 c 271 s 188 are each amended to  
26 read as follows:

27 A "convention" for the purposes of this chapter, is an organized  
28 assemblage of registered voters representing an independent candidate  
29 or candidates or a new or minor political party, organization, or  
30 principle. ((As used in this chapter, the term "election jurisdiction"  
31 shall mean the state or any political subdivision or jurisdiction of  
32 the state from which partisan officials are elected. This term shall  
33 include county commissioner districts or council districts for members  
34 of a county legislative authority, counties for county officials who  
35 are nominated and elected on a countywide basis, legislative districts  
36 for members of the legislature, congressional districts for members of

1 Congress, and the state for president and vice president, members of  
2 the United States senate, and state officials who are elected on a  
3 statewide basis.))

4 **Sec. 27.** RCW 29A.20.121 and 2006 c 344 s 4 are each amended to  
5 read as follows:

6 ~~((1) Any nomination of a candidate for partisan public office by  
7 other than a major political party may be made only: (a) In a  
8 convention held not earlier than the first Saturday in May and not  
9 later than the second Saturday in May or during any of the seven days  
10 immediately preceding the first day for filing declarations of  
11 candidacy as fixed in accordance with RCW 29A.28.041; (b) as provided  
12 by RCW 29A.60.021; or (c) as otherwise provided in this section. Minor  
13 political party and independent candidates may appear only on the  
14 general election ballot.~~

15 ~~(2))~~ Nominations of candidates for president and vice president of  
16 the United States, other than by a major political party, may be made  
17 ~~((either))~~ at a convention conducted ~~((under subsection (1) of this  
18 section, or at a similar convention taking place))~~ not earlier than the  
19 first Saturday in ~~((June))~~ May and not later than the fourth Saturday  
20 in July in the year that president and vice president appear on the  
21 general election ballot. ~~((Conventions held during this time period  
22 may not nominate candidates for any public office other than president  
23 and vice president of the United States, except as provided in  
24 subsection (3) of this section.~~

25 ~~(3) If a special filing period for a partisan office is opened  
26 under RCW 29A.24.211, candidates of minor political parties and  
27 independent candidates may file for office during that special filing  
28 period. The names of those candidates may not appear on the general  
29 election ballot unless they are nominated by convention held no later  
30 than five days after the close of the special filing period and a  
31 certificate of nomination is filed with the filing officer no later  
32 than three days after the convention. The requirements of RCW  
33 29A.20.131 do not apply to such a convention.~~

34 ~~(4))~~ A minor political party may hold more than one convention but  
35 in no case shall any such party nominate more than one candidate for  
36 ~~((any one partisan public office or position))~~ president or more than  
37 one candidate for vice president. ~~((For the purpose of nominating~~

1 candidates for the offices of president and vice president, United  
2 States senator, United States representative, or a statewide office,))  
3 To be valid, a convention must be attended by at least one hundred  
4 registered voters, but a minor party or independent candidate holding  
5 multiple conventions may add together the number of signatures of  
6 different individuals from each convention ((obtained in support of the  
7 candidate or candidates)) in order to obtain ((the number required by  
8 RCW 29A.20.141)) and submit to the secretary of state the signatures of  
9 at least one thousand registered voters of the state of Washington.  
10 ((For all other offices for which nominations are made, signatures of  
11 the requisite number of registered voters must be obtained at a single  
12 convention.))

13 **Sec. 28.** RCW 29A.20.161 and 2004 c 271 s 154 are each amended to  
14 read as follows:

15 A certificate evidencing nominations made at a convention must:

16 (1) Be in writing;

17 (2) Contain the name of each person nominated, his or her  
18 residence, ((and)) the office for which he or she is named, and ((if  
19 the nomination is for the offices of president and vice president of  
20 the United States,)) a sworn statement from both nominees giving their  
21 consent to the nomination;

22 (3) Identify the minor political party or the independent candidate  
23 on whose behalf the convention was held;

24 (4) Be verified by the oath of the presiding officer and secretary;

25 (5) Be accompanied by a nominating petition or petitions bearing  
26 the signatures and addresses of ((registered voters equal in number to  
27 that required by RCW 29A.20.141)) at least one thousand registered  
28 voters of the state of Washington;

29 (6) Contain proof of publication of the notice of calling the  
30 convention; and

31 (7) Be submitted to the ((appropriate filing officer)) secretary of  
32 state not later than ((one week following the adjournment of the  
33 convention at which the nominations were made)) the first Friday of  
34 August. ((If the nominations are made only for offices whose  
35 jurisdiction is entirely within one county, the certificate and  
36 nominating petitions must be filed with the county auditor. If a minor  
37 party or independent candidate convention nominates any candidates for

1 ~~offices whose jurisdiction encompasses more than one county, all~~  
2 ~~nominating petitions and the convention certificates must be filed with~~  
3 ~~the secretary of state.))~~

4 **Sec. 29.** RCW 29A.20.191 and 2004 c 271 s 157 are each amended to  
5 read as follows:

6 Upon the receipt of the certificate of nomination, the ~~((officer~~  
7 ~~with whom it is filed))~~ secretary of state shall check the certificate  
8 and canvass the signatures on the accompanying nominating petitions to  
9 determine if the requirements of RCW ~~((29A.20.141))~~ 29A.20.161 ~~(as~~  
10 ~~recodified by this act)~~ have been met. Once the determination has been  
11 made, the ~~((filing officer))~~ secretary of state shall notify the  
12 presiding officer of the convention and any other persons requesting  
13 the notification, of his or her decision regarding the sufficiency of  
14 the certificate or the nominating petitions. Any appeal regarding the  
15 ~~((filing officer's))~~ secretary's determination must be filed with the  
16 superior court of ~~((the))~~ Thurston county ~~((in which the certificate or~~  
17 ~~petitions were filed))~~ not later than five days from the date the  
18 determination is made, and shall be heard and finally disposed of by  
19 the court within five days of the filing. Nominating petitions shall  
20 not be available for public inspection or copying.

21 **Sec. 30.** RCW 29A.24.020 and 2003 c 111 s 602 are each amended to  
22 read as follows:

23 If at the same election there are short terms or full terms and  
24 unexpired terms of office to be filled, the filing officer shall  
25 distinguish them and designate the short term, the full term, and the  
26 unexpired term, as such, or by use of the words "short term,"  
27 "unexpired two year term," or "four year term," as the case may be.

28 ~~((In filing the declaration of candidacy in such cases the~~  
29 ~~candidate shall specify that the candidacy is for the short term, the~~  
30 ~~full term, or the unexpired term.))~~ When both a short term and a full  
31 term for the same position are scheduled to be voted upon, or when a  
32 short term is created after the close of the filing period, a single  
33 declaration of candidacy accompanied by a single filing fee shall be  
34 construed as a filing for both the short term and the full term and the  
35 name of such candidate shall appear upon the ballot for the position  
36 sought with the designation "short term and full term." The candidate

1 elected to both such terms shall be sworn into and assume office for  
2 the short term as soon as the election returns have been certified and  
3 shall again be sworn into office (~~((on the second Monday in January~~  
4 ~~following the election to assume office))~~) for the full term.

5 **Sec. 31.** RCW 29A.24.031 and 2004 c 271 s 158 are each amended to  
6 read as follows:

7 A candidate who desires to have his or her name printed on the  
8 ballot for election to an office other than president of the United  
9 States, vice president of the United States, or an office for which  
10 ownership of property is a prerequisite to voting shall complete and  
11 file a declaration of candidacy. The secretary of state shall adopt,  
12 by rule, a declaration of candidacy form for the office of precinct  
13 committee officer and a separate standard form for candidates for all  
14 other offices filing under this chapter. Included on the standard form  
15 shall be:

16 (1) A place for the candidate to declare that he or she is a  
17 registered voter within the jurisdiction of the office for which he or  
18 she is filing, and the address at which he or she is registered;

19 (2) A place for the candidate to indicate the position for which he  
20 or she is filing;

21 (3) A place for the candidate to (~~indicate a party designation, if~~  
22 ~~applicable~~) state a party preference, if the office is a partisan  
23 office;

24 (4) A place for the candidate to indicate the amount of the filing  
25 fee accompanying the declaration of candidacy or for the candidate to  
26 indicate that he or she is filing a (~~nominating~~) filing fee petition  
27 in lieu of the filing fee under RCW 29A.24.091;

28 (5) A place for the candidate to sign the declaration of candidacy,  
29 stating that the information provided on the form is true and swearing  
30 or affirming that he or she will support the Constitution and laws of  
31 the United States and the Constitution and laws of the state of  
32 Washington.

33 In the case of a declaration of candidacy filed electronically,  
34 submission of the form constitutes agreement that the information  
35 provided with the filing is true, that he or she will support the  
36 Constitutions and laws of the United States and the state of

1 Washington, and that he or she agrees to electronic payment of the  
2 filing fee established in RCW 29A.24.091.

3 The secretary of state may require any other information on the  
4 form he or she deems appropriate to facilitate the filing process.

5 **Sec. 32.** RCW 29A.24.101 and 2006 c 206 s 4 are each amended to  
6 read as follows:

7 (1) The filing fee petition authorized by RCW 29A.24.091 must be  
8 printed on sheets of uniform color and size, must include a place for  
9 each individual to sign and print his or her name and the address,  
10 city, and county at which he or she is registered to vote, and must  
11 contain no more than twenty numbered lines.

12 ~~((For candidates for nonpartisan office and candidates of a~~  
13 ~~major political party for partisan office,))~~ The filing fee petition  
14 must be in substantially the following form:

15 The warning prescribed by RCW 29A.72.140; followed by:

16 We, the undersigned registered voters of \_\_\_\_\_ (the state of  
17 Washington or the political subdivision for which the nomination is  
18 made), hereby petition that the name of \_\_\_\_\_ (candidate's name) be  
19 printed on the official primary ballot for the office of \_\_\_\_\_ (insert  
20 name of office).

21 ~~((3) For independent candidates and candidates of a minor~~  
22 ~~political party for partisan office, the filing fee petition must be in~~  
23 ~~substantially the following form:~~

24 ~~The warning prescribed by RCW 29A.72.140; followed by:~~

25 ~~We, the undersigned registered voters of \_\_\_\_\_ (the state of~~  
26 ~~Washington or the political subdivision for which the nomination is~~  
27 ~~made), hereby petition that the name of \_\_\_\_\_ (candidate's name) be~~  
28 ~~printed on the official general election ballot for the office of~~  
29 ~~\_\_\_\_\_ (insert name of office).))~~

30 **Sec. 33.** RCW 29A.24.320 and 2003 c 111 s 623 are each amended to  
31 read as follows:

32 The secretary of state shall notify each county auditor of any  
33 declarations filed with the secretary under RCW ~~((29A.24.310))~~  
34 29A.24.311 for offices appearing on the ballot in that county. The

1 county auditor shall ensure that those persons charged with counting  
2 the ballots for a primary or election are notified of all valid write-  
3 in candidates before the tabulation of those ballots.

4 **Sec. 34.** RCW 29A.28.041 and 2011 c 349 s 14 are each amended to  
5 read as follows:

6 (1) Whenever a vacancy occurs in the United States house of  
7 representatives or the United States senate from this state, the  
8 governor shall order a special election to fill the vacancy. ((Minor  
9 political party candidates and independent candidates may be nominated  
10 through the convention procedures provided in chapter 29A.20 RCW.))

11 (2) Within ten days of such vacancy occurring, he or she shall  
12 issue a writ of election fixing a date for the primary at least seventy  
13 days after issuance of the writ, and fixing a date for the election at  
14 least seventy days after the date of the primary. If the vacancy is in  
15 the office of United States representative, the writ of election shall  
16 specify the congressional district that is vacant.

17 (3) If the vacancy occurs less than eight months before a ((state))  
18 general election and before the close of the filing period for that  
19 general election, the special primary((~~7~~)) and special vacancy  
20 election((~~, and minor party and independent candidate nominating~~  
21 ~~conventions~~)) must be held in concert with the state primary and  
22 ((state)) general election in that year.

23 (4) If the vacancy occurs on or after the first day for filing  
24 under RCW 29A.24.050 and on or before the close of the filing period,  
25 a special filing period of three normal business days shall be fixed  
26 ((by the governor)) and notice thereof given to all media, including  
27 press, radio, and television within the area in which the vacancy  
28 election is to be held, to the end that, insofar as possible, all  
29 interested persons will be aware of such filing period. ((The names of  
30 major political party candidates who have filed valid declarations of  
31 candidacy during this three day period shall appear on the approaching  
32 primary ballot. The requirements of RCW 29A.20.131 do not apply to a  
33 minor political party or independent candidate convention held under  
34 this subsection.))

35 (5) If the vacancy occurs later than the close of the filing  
36 period, a special primary and vacancy election to fill the position



1 shall be held after the next (~~state~~) general election but, in any  
2 event, no later than the ninetieth day following the (~~November~~)  
3 general election.

4 **Sec. 35.** RCW 29A.28.050 and 2003 c 111 s 705 are each amended to  
5 read as follows:

6 After calling a special primary and special vacancy election to  
7 fill a vacancy in the United States house of representatives or the  
8 United States senate from this state, the governor shall immediately  
9 notify the secretary of state who shall, in turn, immediately notify  
10 the county auditor of each county wholly or partly within which the  
11 vacancy exists.

12 Each county auditor shall publish notices of the special primary  
13 and the special vacancy election at least once in any legal newspaper  
14 published in the county, as provided by RCW (~~29A.52.310 and 29A.52.350~~  
15 ~~respectively~~) 29A.52.355.

16 **Sec. 36.** RCW 29A.28.061 and 2011 c 10 s 28 are each amended to  
17 read as follows:

18 The general election laws and laws relating to partisan primaries  
19 shall apply to the special primaries and vacancy elections provided for  
20 in chapter 29A.28 RCW to the extent that they are not inconsistent with  
21 the provisions of these sections. (~~Minor political party and~~  
22 ~~independent candidates may appear only on the general election~~  
23 ~~ballot.~~) Statutory time deadlines relating to availability of  
24 ballots, certification, canvassing, and related procedures that cannot  
25 be met in a timely fashion may be modified for the purposes of a  
26 specific primary or vacancy election under this chapter by the  
27 secretary of state through emergency rules adopted under RCW  
28 29A.04.611.

29 **Sec. 37.** RCW 29A.32.100 and 2003 c 111 s 810 are each amended to  
30 read as follows:

31 (1) An argument or statement submitted to the secretary of state  
32 for publication in the voters' pamphlet is not available for public  
33 inspection or copying until:

34 (a) In the case of candidate statements, (i) all statements by all  
35 candidates who have filed for a particular office have been received,

1 except those who informed the secretary that they will not submit  
2 statements, or (ii) the deadline for submission of statements has  
3 elapsed;

4 (b) In the case of arguments supporting or opposing a measure, (i)  
5 the arguments on both sides have been received, unless a committee was  
6 not appointed for one side, or (ii) the deadline for submission of  
7 arguments has elapsed; and

8 (c) In the case of rebuttal arguments, (i) the rebuttals on both  
9 sides have been received, unless a committee was not appointed for one  
10 side, or (ii) the deadline for submission of arguments has elapsed.

11 (2) Nothing in this section prohibits the secretary from releasing  
12 information under RCW 29A.32.090(~~(+2)(d)~~)).

13 **Sec. 38.** RCW 29A.32.210 and 2003 c 111 s 813 are each amended to  
14 read as follows:

15 At least ninety days before any primary or general election, or at  
16 least forty days before any special election held under RCW  
17 (~~(29A.04.320)~~) 29A.04.321 or 29A.04.330, the legislative authority of  
18 any county or first-class or code city may adopt an ordinance  
19 authorizing the publication and distribution of a local voters'  
20 pamphlet. The pamphlet shall provide information on all measures  
21 within that jurisdiction and may, if specified in the ordinance,  
22 include information on candidates within that jurisdiction. If both a  
23 county and a first-class or code city within that county authorize a  
24 local voters' pamphlet for the same election, the pamphlet shall be  
25 produced jointly by the county and the first-class or code city. If no  
26 agreement can be reached between the county and first-class or code  
27 city, the county and first-class or code city may each produce a  
28 pamphlet. Any ordinance adopted authorizing a local voters' pamphlet  
29 may be for a specific primary, special election, or general election or  
30 for any future primaries or elections. The format of any local voters'  
31 pamphlet shall, whenever applicable, comply with the provisions of this  
32 chapter regarding the publication of the state candidates' and voters'  
33 pamphlets.

34 **Sec. 39.** RCW 29A.36.010 and 2011 c 349 s 15 are each amended to  
35 read as follows:

36 Not later than the Tuesday following the regular filing period, the

1 secretary of state shall certify to each county auditor a list of the  
2 candidates who have filed declarations of candidacy in his or her  
3 office for the primary. For each office, the certificate shall include  
4 the name of each candidate, his or her address, and his or her party  
5 preference (~~(or independent designation as shown)~~) , if any, provided  
6 on filed declarations.

7 **Sec. 40.** RCW 29A.36.060 and 2003 c 111 s 906 are each amended to  
8 read as follows:

9 If any persons are dissatisfied with the ballot title for a  
10 proposed constitution(~~(7)~~) or constitutional amendment(~~(7, or question~~  
11 ~~submitted under RCW 29A.36.050)~~), they may at any time within ten days  
12 from the time of the filing of the ballot title and summary, not  
13 including Saturdays, Sundays, or legal holidays, appeal to the superior  
14 court of Thurston county by petition setting forth the measure, the  
15 ballot title objected to, their objections to it, and praying for  
16 amendment of the ballot title. The time of the filing of the ballot  
17 title, as used in this section for establishing the time for appeal, is  
18 the time the ballot title is first filed with the secretary of state.

19 A copy of the petition on appeal together with a notice that an  
20 appeal has been taken must be served upon the secretary of state, the  
21 attorney general, the chief clerk of the house of representatives, and  
22 the secretary of the senate. Upon the filing of the petition on  
23 appeal, the court shall immediately, or at the time to which a hearing  
24 may be adjourned by consent of the appellants, examine the proposed  
25 measure, the ballot title filed, and the objections to it and may hear  
26 arguments on it, and shall as soon as possible render its decision and  
27 certify to and file with the secretary of state a ballot title that it  
28 determines will meet the requirements of this chapter. The decision of  
29 the superior court is final, and the ballot title so certified will be  
30 the established ballot title. The appeal must be heard without cost to  
31 either party.

32 **Sec. 41.** RCW 29A.36.101 and 2004 c 271 s 125 are each amended to  
33 read as follows:

34 Except for the candidates for (~~(the positions of)~~) president and  
35 vice president, or for a partisan or nonpartisan office for which no  
36 primary is required, (~~(or for independent or minor party candidates,)~~)

1 the names of all candidates who, under this title, filed a declaration  
2 of candidacy (~~or were certified as a candidate to fill a vacancy on a~~  
3 ~~major party ticket will~~) must appear on the appropriate ballot at the  
4 primary throughout the jurisdiction (~~in which they are to be~~  
5 ~~nominated~~) for which they filed.

6 **Sec. 42.** RCW 29A.36.121 and 2004 c 271 s 129 are each amended to  
7 read as follows:

8 (1)~~((a))~~ The positions or offices on a primary consolidated  
9 ballot shall be arranged in substantially the following order: United  
10 States senator; United States representative; governor; lieutenant  
11 governor; secretary of state; state treasurer; state auditor; attorney  
12 general; commissioner of public lands; superintendent of public  
13 instruction; insurance commissioner; state senator; state  
14 representative; county officers; justices of the supreme court; judges  
15 of the court of appeals; judges of the superior court; and judges of  
16 the district court. For all other jurisdictions on the primary  
17 (~~consolidated~~) ballot, the offices in each jurisdiction shall be  
18 grouped together and be in the order of the position numbers assigned  
19 to those offices, if any.

20 ~~((b)(i) The positions or offices on a primary party ballot must be~~  
21 ~~arranged in substantially the following order: United States senator;~~  
22 ~~United States representative; governor; lieutenant governor; secretary~~  
23 ~~of state; state treasurer; state auditor; attorney general;~~  
24 ~~commissioner of public lands; insurance commissioner; state senator;~~  
25 ~~state representative; and partisan county officers. For all other~~  
26 ~~jurisdictions on the primary party ballot, the offices in each~~  
27 ~~jurisdiction must be grouped together and be in the order of the~~  
28 ~~position numbers assigned to those offices, if any.~~

29 ~~(ii) The positions or offices on a primary nonpartisan ballot must~~  
30 ~~be arranged in substantially the following order: Superintendent of~~  
31 ~~public instruction; justices of the supreme court; judges of the court~~  
32 ~~of appeals; judges of the superior court; and judges of the district~~  
33 ~~court. For all other jurisdictions on the primary nonpartisan ballot,~~  
34 ~~the offices in each jurisdiction must be grouped together and be in the~~  
35 ~~order of the position numbers assigned to those offices, if any.)~~

36 (2) The order of the positions or offices on ~~((an))~~ a general  
37 election ballot shall be substantially the same as on a primary

1 ((consolidated)) ballot except that state ballot issues must be placed  
2 before all offices. The offices of president and vice president of the  
3 United States shall precede all other offices on a presidential  
4 election ballot. The positions on a ballot to be assigned to ballot  
5 measures regarding local units of government shall be established by  
6 the secretary of state by rule.

7 ~~((3) The political party or independent candidacy of each  
8 candidate for partisan office shall be indicated next to the name of  
9 the candidate on the primary and election ballot. A candidate shall  
10 file a written notice with the filing officer within three business  
11 days after the close of the filing period designating the political  
12 party to be indicated next to the candidate's name on the ballot if  
13 either: (a) The candidate has been nominated by two or more minor  
14 political parties or independent conventions; or (b) the candidate has  
15 both filed a declaration of candidacy declaring an affiliation with a  
16 major political party and been nominated by a minor political party or  
17 independent convention. If no written notice is filed the filing  
18 officer shall give effect to the party designation shown upon the first  
19 document filed. A candidate may be deemed nominated by a minor party  
20 or independent convention only if all documentation required by chapter  
21 29A.20 RCW has been timely filed.))~~

22 **Sec. 43.** RCW 29A.36.131 and 2011 c 10 s 32 are each amended to  
23 read as follows:

24 After the close of business on the last day for candidates to file  
25 for office, the filing officer shall(~~(, from among those filings made  
26 in person and by mail,)~~) determine by lot the order in which the names  
27 of those candidates will appear on all ballots. The determination  
28 shall be done publicly and may be witnessed by the media and by any  
29 candidate. If no primary is required (~~(for any nonpartisan office  
30 under RCW 29A.52.011 or 29A.52.220, or if any independent or minor  
31 party candidate files a declaration of candidacy)~~), the names shall  
32 appear on the general election ballot in the order determined by lot.

33 **Sec. 44.** RCW 29A.36.161 and 2011 c 10 s 33 are each amended to  
34 read as follows:

35 (1) On the top of each ballot must be printed clear and concise

1 instructions directing the voter how to mark the ballot, including  
2 write-in votes. (~~On the top of each primary ballot must be printed~~  
3 ~~the instructions required by this chapter.~~)

4 (2) The ballot must have a clear delineation between the ballot  
5 instructions and the first ballot measure or office through the use of  
6 white space, illustration, shading, color, symbol, font size, or bold  
7 type. The secretary of state shall establish standards for ballot  
8 design and layout consistent with this section and RCW 29A.04.611.

9 (3) The questions of adopting constitutional amendments or any  
10 other state measure authorized by law to be submitted to the voters at  
11 that election must appear after the instructions and before any  
12 offices.

13 (4) In a year that president and vice president appear on the  
14 general election ballot, the names of candidates for president and vice  
15 president for each political party must be grouped together with a  
16 single response position for a voter to indicate his or her choice.

17 (~~(5) On a general election ballot, the candidate or candidates~~  
18 ~~of~~) The major political party that received the highest number of  
19 votes from the electors of this state for the office of president of  
20 the United States at the last presidential election must appear first  
21 (following the appropriate office heading. The candidate or  
22 candidates of the)). Other major political parties (~~will~~) must  
23 follow according to the votes cast for their nominees for president at  
24 the last presidential election(~~, and~~). Independent candidates and  
25 (the candidate or candidates of all other) minor parties (~~will~~)  
26 must follow major parties and be listed in the order of their  
27 qualification with the secretary of state.

28 **Sec. 45.** RCW 29A.36.170 and 2005 c 2 s 6 are each reenacted and  
29 amended to read as follows:

30 (1) For any office for which a primary was held, only the names of  
31 the top two candidates will appear on the general election ballot; the  
32 name of the candidate who received the greatest number of votes will  
33 appear first and the candidate who received the next greatest number of  
34 votes will appear second. No candidate's name may be printed on the  
35 subsequent general election ballot unless he or she receives at least  
36 one percent of the total votes cast for that office at the preceding  
37 primary, if a primary was conducted. On the ballot at the general

1 election for an office for which no primary was held, the names of the  
2 candidates shall be listed in the order determined under RCW  
3 (~~29A.36.130~~) 29A.36.131.

4 (2) For the office of justice of the supreme court, judge of the  
5 court of appeals, judge of the superior court, judge of the district  
6 court, or state superintendent of public instruction, if a candidate in  
7 a contested primary receives a majority of all the votes cast for that  
8 office or position, only the name of that candidate may be printed for  
9 that position on the ballot at the general election.

10 **Sec. 46.** RCW 29A.36.201 and 2004 c 271 s 171 are each amended to  
11 read as follows:

12 The names of (~~the persons~~) candidates certified (~~as nominees~~)  
13 by the secretary of state or the county canvassing board as qualified  
14 to appear on the general election shall be printed on the general  
15 election ballot (~~at the ensuing election~~)).

16 If a primary for an office was held, no name of any candidate  
17 (~~whose nomination at a primary is required by law~~) shall be placed  
18 upon the ballot at a general or special election unless it appears upon  
19 the certificate of either (1) the secretary of state, or (2) the county  
20 canvassing board(~~, or (3) a minor party convention or the state or~~  
21 ~~county central committee of a major political party to fill a vacancy~~  
22 ~~on its ticket under RCW 29A.28.021~~)).

23 Excluding the office of precinct committee officer or a temporary  
24 elected position such as a charter review board member or freeholder,  
25 a candidate's name shall not appear on a ballot more than once (~~upon~~  
26 ~~a ballot for a position regularly nominated or elected at the same~~  
27 ~~election~~)).

28 **Sec. 47.** RCW 29A.40.010 and 2011 c 10 s 35 are each amended to  
29 read as follows:

30 Each active registered voter of the state, overseas voter, and  
31 service voter shall automatically be issued a mail ballot for each  
32 general election, special election, or primary. Overseas voters and  
33 service voters are authorized to cast the same ballots, including those  
34 for special elections, as a registered voter of the state would receive  
35 under this chapter. Each active registered voter shall continue to

1 receive a ballot by mail until the death or disqualification of the  
2 voter, cancellation of the voter's registration, or placing the voter  
3 on inactive status.

4 **Sec. 48.** RCW 29A.40.070 and 2011 c 349 s 16 and 2011 c 10 s 38 are  
5 each reenacted and amended to read as follows:

6 (1) Except where a recount or litigation is pending, the county  
7 auditor must mail ballots to each voter at least eighteen days before  
8 each primary or election, and as soon as possible for all subsequent  
9 registration changes.

10 (2) Except where a recount or litigation is pending, the county  
11 auditor must mail ballots to each service and overseas voter at least  
12 thirty days before each (~~primary election or~~) special election, and  
13 at least forty-five days before each primary or general election, or  
14 any special election that involves federal office. A request for a  
15 ballot made by an overseas or service voter after that day must be  
16 processed immediately.

17 (3) A registered voter may obtain a replacement ballot if the  
18 ballot is destroyed, spoiled, lost, or not received by the voter. The  
19 voter may obtain the ballot by telephone request, by mail,  
20 electronically, or in person. The county auditor shall keep a record  
21 of each request for a replacement ballot.

22 (4) Each county auditor shall certify to the office of the  
23 secretary of state the dates the ballots were mailed, or the reason and  
24 date the ballots will be mailed if the ballots were not mailed timely.

25 (5) Failure to mail ballots as prescribed in this section does not  
26 by itself provide a basis for an election contest or other legal  
27 challenge to the results of a primary, general election, or special  
28 election.

29 **Sec. 49.** RCW 29A.40.091 and 2011 c 349 s 17, 2011 c 348 s 3, 2011  
30 c 182 s 1, and 2011 c 10 s 39 are each reenacted and amended to read as  
31 follows:

32 (1) The county auditor shall send each voter a ballot, a security  
33 envelope in which to conceal the ballot after voting, a larger envelope  
34 in which to return the security envelope, a declaration that the voter  
35 must sign, and instructions on how to obtain information about the



1 election, how to mark the ballot, and how to return the ballot to the  
2 county auditor.

3 (2) The voter must swear under penalty of perjury that he or she  
4 meets the qualifications to vote, and has not voted in any other  
5 jurisdiction at this election. The declaration must clearly inform the  
6 voter that it is illegal to vote if he or she is not a United States  
7 citizen; it is illegal to vote if he or she has been convicted of a  
8 felony and has not had his or her voting rights restored; and it is  
9 illegal to cast a ballot or sign a ~~((return envelope))~~ ballot  
10 declaration on behalf of another voter. The ballot materials must  
11 provide space for the voter ((must)) to sign the declaration, indicate  
12 the date on which the ballot was voted, and ~~((sign the declaration.~~  
13 ~~The ballot materials must also contain a space so that the voter may))~~  
14 include a telephone number.

15 (3) For overseas and service voters, the signed declaration ~~((on~~  
16 ~~the return envelope))~~ constitutes the equivalent of a voter  
17 registration ~~((for the election or primary for which the ballot has~~  
18 ~~been issued))~~. Return envelopes for overseas and service voters must  
19 enable the ballot to be returned postage free if mailed through the  
20 United States postal service, United States armed forces postal  
21 service, or the postal service of a United States foreign embassy under  
22 39 U.S.C. 3406.

23 (4) The voter must be instructed to either return the ballot to the  
24 county auditor no later than 8:00 p.m. the day of the election or  
25 primary, or mail the ballot to the county auditor with a postmark no  
26 later than the day of the election or primary. Service and overseas  
27 voters must be provided with instructions and a ~~((secrecy cover))~~  
28 privacy sheet for returning the ballot and signed declaration by fax or  
29 e-mail. A voted ballot and signed declaration returned by fax or e-  
30 mail must be received by 8:00 p.m. on the day of the election or  
31 primary.

32 **Sec. 50.** RCW 29A.52.112 and 2005 c 2 s 7 are each amended to read  
33 as follows:

34 (1) A primary is a first stage in the public process by which  
35 voters elect candidates to public office.

36 (2) Whenever candidates for a partisan office are to be elected,  
37 the general election must be preceded by a primary conducted under this

1 chapter. Based upon votes cast at the primary, the top two candidates  
2 will be certified as qualified to appear on the general election  
3 ballot, unless only one candidate qualifies as provided in RCW  
4 29A.36.170.

5 (3) For partisan office, if a candidate has expressed a party (~~or~~  
6 ~~independent~~) preference on the declaration of candidacy, then that  
7 preference will be shown after the name of the candidate on the primary  
8 and general election ballots (~~by appropriate abbreviation~~) as set  
9 forth in rules of the secretary of state. A candidate may choose to  
10 express no party (~~or independent~~) preference. Any party (~~or~~  
11 ~~independent~~) preferences are shown for the information of voters only  
12 and may in no way limit the options available to voters.

13 **Sec. 51.** RCW 29A.52.210 and 2003 c 111 s 1305 are each amended to  
14 read as follows:

15 All city and town primaries shall be nonpartisan. Primaries for  
16 special purpose districts, except those districts that require  
17 ownership of property within the district as a prerequisite to voting,  
18 shall be nonpartisan. City, town, and district primaries shall be held  
19 as provided in RCW (~~29A.04.310~~) 29A.04.311.

20 The purpose of this section is to establish the holding of a  
21 primary, subject to the exemptions in RCW 29A.52.220, as a uniform  
22 procedural requirement to the holding of city, town, and district  
23 elections. These provisions supersede any and all other statutes,  
24 whether general or special in nature, having different election  
25 requirements.

26 **Sec. 52.** RCW 29A.52.321 and 2004 c 271 s 146 are each amended to  
27 read as follows:

28 No later than the day following the certification of the returns of  
29 any primary, the secretary of state shall certify to the appropriate  
30 county auditors the names of all (~~persons nominated for offices at a~~  
31 ~~primary, or at an independent candidate or minor party convention~~)  
32 candidates qualified to appear on the general election ballot.

33 **Sec. 53.** RCW 29A.52.355 and 2011 c 10 s 45 are each amended to  
34 read as follows:

35 (1) Notice for any state, county, district, or municipal primary or

1 election, whether special or general, must be given by the county  
2 auditor between five and fifteen days prior to the deadline for mail-in  
3 registrations. The notice must be published in one or more newspapers  
4 of general circulation and must contain, at a minimum, the last date to  
5 register online or through the mail, the last date to transfer or  
6 update an existing registration, the last date to register in person  
7 for first-time voters, information on where a person can register, the  
8 type of election, the date of the election, how a voter can obtain a  
9 ballot, a list of all jurisdictions involved in the election, including  
10 positions and short titles for ballot measures appearing on the ballot,  
11 and the times and dates of any public meetings associated with the  
12 election. The notice shall also include where additional information  
13 regarding the election may be obtained. The notice of a primary held  
14 in an even-numbered year must indicate that the office of precinct  
15 committee officer is on the ballot. This is the only notice required  
16 for a state, county, district, or municipal primary or special or  
17 general election.

18 (2) If the county or city chooses to mail a local voters' pamphlet  
19 as described in RCW 29A.32.210 to each residence, the notice required  
20 in this section need only include the last date to register online or  
21 through the mail, the last date to transfer or update an existing  
22 registration, the last date to register in person for first-time  
23 voters, information on where a person can register, and the times and  
24 dates of any public meetings associated with the election.

25 **Sec. 54.** RCW 29A.56.040 and 2007 c 385 s 1 are each amended to  
26 read as follows:

27 (1) Except where necessary to accommodate the national or state  
28 rules of a major political party or where this chapter specifically  
29 provides otherwise, the presidential primary must be conducted in  
30 substantially the same manner as a state (~~(partisan)~~) primary under  
31 this title.

32 (2) (~~Except as provided under this chapter or by rule of the~~  
33 ~~secretary of state adopted under RCW 29A.04.620,~~) The arrangement and  
34 form of presidential primary ballots must be (~~(consistent with RCW~~  
35 ~~29A.52.151)) established by administrative rule adopted under RCW  
36 29A.04.620. Only the candidates who have qualified under RCW  
37 29A.56.030 may appear on the ballots.~~

1 (3) Each party's ballot or portion of the ballot must list  
2 alphabetically the names of all candidates for the office of president.  
3 The ballot must clearly indicate the political party of each candidate.  
4 Each ballot must include a blank space to allow the voter to write in  
5 the name of any other candidate.

6 (4) A presidential primary ballot with votes for more than one  
7 candidate is void, and notice to this effect, stated in clear, simple  
8 language and printed in large type, must appear on the face of each  
9 presidential primary ballot or on or about each voting device.

10 **Sec. 55.** RCW 29A.56.210 and 2003 c 111 s 1417 are each amended to  
11 read as follows:

12 If, at the conclusion of the verification and canvass, it is found  
13 that a petition for recall bears the required number of signatures of  
14 certified legal voters, the officer with whom the petition is filed  
15 shall promptly certify the petitions as sufficient and fix a date for  
16 the special election to determine whether or not the officer charged  
17 shall be recalled and discharged from office. The special election  
18 shall be held not less than forty-five nor more than ~~((sixty))~~ ninety  
19 days from the certification and, whenever possible, on one of the dates  
20 provided in RCW 29A.04.330, but no recall election may be held between  
21 the date of the primary and the date of the general election in any  
22 calendar year. Notice shall be given in the manner as required by law  
23 for special elections in the state or in the political subdivision, as  
24 the case may be.

25 **Sec. 56.** RCW 29A.56.320 and 2009 c 264 s 3 are each amended to  
26 read as follows:

27 In the year in which a presidential election is held, each major  
28 political party and each minor political party or independent candidate  
29 convention ~~((held under chapter 29A.20 RCW))~~ that nominates candidates  
30 for president and vice president of the United States shall nominate  
31 presidential electors for this state. The party or convention shall  
32 file with the secretary of state a certificate signed by the presiding  
33 officer of the convention at which the presidential electors were  
34 chosen, listing the names and addresses of the presidential electors.  
35 Each presidential elector shall execute and file with the secretary of  
36 state a pledge that, as an elector, he or she will vote for the

1 candidates nominated by that party. The names of presidential electors  
2 shall not appear on the ballots. The votes cast for candidates for  
3 president and vice president of each political party shall be counted  
4 for the candidates for presidential electors of that political party;  
5 however, if the interstate compact entitled the "agreement among the  
6 states to elect the president by national popular vote," as set forth  
7 in RCW 29A.56.300, governs the appointment of the presidential electors  
8 for a presidential election as provided in clause 9 of Article III of  
9 that compact, then the final appointment of presidential electors for  
10 that presidential election shall be in accordance with that compact.

11 **Sec. 57.** RCW 29A.56.360 and 2003 c 111 s 1429 are each amended to  
12 read as follows:

13 In a year in which the president and vice president of the United  
14 States are to be elected, the secretary of state shall include in the  
15 certification prepared under RCW (~~(29A.52.320)~~) 29A.52.321 the names of  
16 all candidates for president and vice president who, (~~at least fifty~~  
17 ~~days before the general election~~) no later than the third Tuesday of  
18 August, have certified a slate of electors to the secretary of state  
19 under RCW 29A.56.320 and have been nominated either (1) by a major  
20 political party, as certified by the appropriate authority under party  
21 rules, or (2) by a minor party or as independent candidates (~~under~~  
22 ~~chapter 29A.20 RCW~~). Major or minor political parties or independent  
23 presidential candidates may substitute a different candidate for vice  
24 president for the one whose name appears on the party's certification  
25 or nominating petition at any time before (~~forty-five~~) seventy-five  
26 days before the general election, by certifying the change to the  
27 secretary of state. Substitutions must not be permitted to delay the  
28 printing of either ballots or a voters' pamphlet. Substitutions are  
29 valid only if submitted under oath and signed by the same individual  
30 who originally certified the nomination, or his or her documented  
31 successor, and only if the substitute candidate consents in writing.

32 **Sec. 58.** RCW 29A.56.490 and 2011 c 10 s 46 are each amended to  
33 read as follows:

34 The election officials shall count and determine the number of  
35 votes cast for each individual; and shall also count and determine the  
36 aggregate number of votes cast for all candidates whose names appear

1 under each of the respective headings. Where more than the required  
2 number have been voted for, the ballot must be rejected. The vote must  
3 be canvassed in each county by the county canvassing board, and  
4 certificate of results must (~~within fifteen days after the election~~)  
5 be transmitted to the secretary of state. Upon receiving the  
6 certificate, the secretary of state may require precinct returns from  
7 any county to be forwarded for the secretary's examination.

8 Where a district embraces precincts of more than one county, the  
9 secretary of state shall combine the votes from all the precincts  
10 included in each district. The delegates elected in each district will  
11 be the number of candidates corresponding to the number of state  
12 representatives from the district, who receive the highest number of  
13 votes in the group (either "for" or "against") that received an  
14 aggregate number of votes for all candidates in the group greater than  
15 the aggregate number of votes for all the candidates in the other  
16 group. The secretary of state shall issue certificates of election to  
17 the delegates so elected.

18 **Sec. 59.** RCW 29A.60.010 and 2003 c 111 s 1501 are each amended to  
19 read as follows:

20 All elections, whether special or general, held under RCW  
21 (~~29A.04.320~~) 29A.04.321 and 29A.04.330 must be conducted by the  
22 county auditor as ex officio county supervisor of elections and, except  
23 as provided in RCW 29A.60.240, the returns canvassed by the county  
24 canvassing board.

25 **Sec. 60.** RCW 29A.60.060 and 2011 c 10 s 49 are each amended to  
26 read as follows:

27 After the close of (~~the~~) voting (~~center~~) at 8:00 p.m., the  
28 county auditor must directly load the results from any direct recording  
29 electronic memory pack into the central accumulator.

30 **Sec. 61.** RCW 29A.60.110 and 2011 c 10 s 50 are each amended to  
31 read as follows:

32 Immediately after their tabulation, all ballots counted at a ballot  
33 counting center must be sealed in containers that identify the primary  
34 or election and be retained for at least sixty days or according to  
35 federal law, whichever is longer.

1 In the presence of major party observers who are available, ballots  
2 may be removed from the sealed containers at the elections department  
3 and consolidated into one sealed container for storage purposes. The  
4 containers may only be opened by the canvassing board as part of the  
5 canvass, ~~((or))~~ to conduct recounts, ~~((or under RCW 29A.60.170(3)))~~ to  
6 conduct a random check under RCW 29A.60.170, or by order of the  
7 superior court in a contest or election dispute. If the canvassing  
8 board opens a ballot container, it shall make a full record of the  
9 additional tabulation or examination made of the ballots. This record  
10 must be added to any other record of the canvassing process in that  
11 county.

12 **Sec. 62.** RCW 29A.60.160 and 2011 c 10 s 53 are each amended to  
13 read as follows:

14 (1) The county auditor, as delegated by the county canvassing  
15 board, shall process ballots and canvass the votes cast at that primary  
16 or election on a daily basis in counties with a population of seventy-  
17 five thousand or more, or at least every third day for counties with a  
18 population of less than seventy-five thousand, if the county auditor is  
19 in possession of more than five hundred ballots that have yet to be  
20 canvassed.

21 (2) Saturdays, Sundays, and legal holidays are not counted for  
22 purposes of this section.

23 (3) In order to protect the secrecy of a ballot, the county auditor  
24 may use discretion to decide when to process ~~((absentee))~~ ballots and  
25 canvass the votes.

26 (4) Tabulation results must be made available to the public  
27 immediately upon completion of the canvass.

28 **Sec. 63.** RCW 29A.60.165 and 2011 c 10 s 54 are each amended to  
29 read as follows:

30 (1) If the voter neglects to sign the ballot declaration, the  
31 auditor shall notify the voter by first-class mail and advise the voter  
32 of the correct procedures for completing the unsigned declaration. If  
33 the ballot is received within three business days of the final meeting  
34 of the canvassing board, or the voter has been notified by first-class  
35 mail and has not responded at least three business days before the

1 final meeting of the canvassing board, then the auditor shall attempt  
2 to notify the voter by telephone, using the voter registration record  
3 information.

4 (2)(a) If the handwriting of the signature on a ballot declaration  
5 is not the same as the handwriting of the signature on the registration  
6 file, the auditor shall notify the voter by first-class mail, enclosing  
7 a copy of the declaration, and advise the voter of the correct  
8 procedures for updating his or her signature on the voter registration  
9 file. If the ballot is received within three business days of the  
10 final meeting of the canvassing board, or the voter has been notified  
11 by first-class mail and has not responded at least three business days  
12 before the final meeting of the canvassing board, then the auditor  
13 shall attempt to notify the voter by telephone, using the voter  
14 registration record information.

15 (b) If the signature on a ballot declaration is not the same as the  
16 signature on the registration file because the name is different, the  
17 ballot may be counted as long as the handwriting is clearly the same.  
18 The auditor shall send the voter a change-of-name form under RCW  
19 29A.08.440 and direct the voter to complete the form.

20 (c) If the signature on a ballot declaration is not the same as the  
21 signature on the registration file because the voter used initials or  
22 a common nickname, the ballot may be counted as long as the surname and  
23 handwriting are clearly the same.

24 (3) A voter may not cure a missing or mismatched signature for  
25 purposes of counting the ballot in a recount.

26 (4) A record must be kept of all ballots with missing and  
27 mismatched signatures. The record must contain the date on which the  
28 voter was contacted or the notice was mailed, as well as the date on  
29 which the voter (~~signed the envelope, a copy of the envelope, a new  
30 registration form, or a change of name form~~) submitted updated  
31 information. That record is a public record under chapter 42.56 RCW  
32 and may be disclosed to interested parties on written request.

33 **Sec. 64.** RCW 29A.60.240 and 2011 c 349 s 22 are each amended to  
34 read as follows:

35 The secretary of state shall, as soon as possible but in any event  
36 not later than seventeen days following the primary, canvass and  
37 certify the returns of all primary elections as to candidates for



1 statewide offices, United States senators and representatives in  
2 Congress, and all (~~other~~) legislative and judicial candidates whose  
3 district extends beyond the limits of a single county.

4 **Sec. 65.** RCW 29A.60.250 and 2005 c 243 s 18 are each amended to  
5 read as follows:

6 As soon as the returns have been received from all the counties of  
7 the state, but not later than the thirtieth day after the election, the  
8 secretary of state shall canvass and certify the returns of the general  
9 election as to candidates for statewide offices, the United States  
10 senate, congress, and all (~~other~~) legislative and judicial candidates  
11 whose districts extend beyond the limits of a single county. The  
12 secretary of state shall transmit a copy of the certification to the  
13 governor, president of the senate, and speaker of the house of  
14 representatives.

15 **Sec. 66.** RCW 29A.64.021 and 2005 c 243 s 19 are each amended to  
16 read as follows:

17 (1) If the official canvass of all of the returns for any office at  
18 any primary or election reveals that the difference in the number of  
19 votes cast for a candidate apparently (~~nominated~~) qualified for the  
20 general election ballot or elected to any office, and the number of  
21 votes cast for the closest apparently defeated opponent is less than  
22 two thousand votes and also less than one-half of one percent of the  
23 total number of votes cast for both candidates, the county canvassing  
24 board shall conduct a recount of all votes cast on that position.

25 (a) Whenever such a difference occurs in the number of votes cast  
26 for candidates for a position the declaration of candidacy for which  
27 was filed with the secretary of state, the secretary of state shall,  
28 within three business days of the day that the returns of the primary  
29 or election are first certified by the canvassing boards of those  
30 counties, direct those boards to recount all votes cast on the  
31 position.

32 (b)(i) For statewide elections, if the difference in the number of  
33 votes cast for the apparent winner and the closest apparently defeated  
34 opponent is less than one thousand votes and also less than one-fourth  
35 of one percent of the total number of votes cast for both candidates,

1 the votes shall be recounted manually or as provided in subsection (3)  
2 of this section.

3 (ii) For elections not included in (b)(i) of this subsection, if  
4 the difference in the number of votes cast for the apparent winner and  
5 the closest apparently defeated opponent is less than one hundred fifty  
6 votes and also less than one-fourth of one percent of the total number  
7 of votes cast for both candidates, the votes shall be recounted  
8 manually or as provided in subsection (3) of this section.

9 (2) A mandatory recount shall be conducted in the manner provided  
10 by RCW 29A.64.030, 29A.64.041, and 29A.64.061. No cost of a mandatory  
11 recount may be charged to any candidate.

12 (3) The apparent winner and closest apparently defeated opponent  
13 for an office for which a manual recount is required under subsection  
14 (1)(b) of this section may select an alternative method of conducting  
15 the recount. To select such an alternative, the two candidates shall  
16 agree to the alternative in a signed, written statement filed with the  
17 election official for the office. The recount shall be conducted using  
18 the alternative method if: It is suited to the balloting system that  
19 was used for casting the votes for the office; it involves the use of  
20 a vote tallying system that is approved for use in this state by the  
21 secretary of state; and the vote tallying system is readily available  
22 in each county required to conduct the recount. If more than one  
23 balloting system was used in casting votes for the office, an  
24 alternative to a manual recount may be selected for each system.

25 **Sec. 67.** RCW 29A.64.030 and 2011 c 349 s 24 are each amended to  
26 read as follows:

27 An application for a recount shall state the office or ballot  
28 measure for which a recount is requested, and whether the request is  
29 for all precincts or only a portion of the (~~votes cast~~) precincts in  
30 that jurisdiction (~~of that office~~). The person filing an application  
31 for a manual recount shall, at the same time, deposit with the county  
32 canvassing board or secretary of state, in cash or by certified check,  
33 a sum equal to twenty-five cents for each ballot cast in the  
34 jurisdiction or portion of the jurisdiction for which the recount is  
35 requested as security for the payment of any costs of conducting the  
36 recount. If the application is for a machine recount, the deposit must

1 be equal to fifteen cents for each ballot. These charges shall be  
2 determined by the county canvassing board or boards under RCW  
3 29A.64.081.

4 The county canvassing board shall determine the date, time, and  
5 place or places at which the recount will be conducted. Not less than  
6 one day before the date of the recount, the county auditor shall notify  
7 the applicant or affected parties and, if the recount involves an  
8 office, to any person for whom votes were cast for that office of the  
9 date, time, and place of the recount. Each person entitled to receive  
10 notice of the recount may attend, witness the recount, and be  
11 accompanied by counsel.

12 Proceedings of the canvassing board are public under chapter 42.30  
13 RCW. Subject to reasonable and equitable guidelines adopted by the  
14 canvassing board, all interested persons may attend and witness a  
15 recount.

16 **Sec. 68.** RCW 29A.64.050 and 2003 c 111 s 1605 are each amended to  
17 read as follows:

18 When a partial recount of votes cast for an office or issue changes  
19 the result of the election, the canvassing board or the secretary of  
20 state, if the office or issue is being recounted at his or her  
21 direction, shall order a complete recount of all ballots cast for the  
22 office or issue for the jurisdiction in question.

23 This recount will be conducted in a manner consistent with RCW  
24 (~~(29A.64.020)~~) 29A.64.021.

25 **Sec. 69.** RCW 29A.64.061 and 2005 c 243 s 21 are each amended to  
26 read as follows:

27 (1) Upon completion of the canvass of a recount, the canvassing  
28 board shall prepare and certify an amended abstract showing the votes  
29 cast in each precinct for which the recount was conducted. Copies of  
30 the amended abstracts must be transmitted to the same officers who  
31 received the abstract on which the recount was based.

32 (2) If the (~~(nomination, election,)~~) office or issue for which the  
33 recount was conducted was (~~(submitted only to the voters of a county)~~)  
34 filed with the county auditor, the canvassing board shall file the  
35 amended abstract with the original results of that election or primary.

1        (3) If the (~~(nomination, election,)~~) office or issue for which a  
2 recount was conducted was (~~(submitted to the voters of more than one~~  
3 ~~county)~~) filed with the secretary of state, the secretary of state  
4 shall canvass the amended abstracts and shall file an amended abstract  
5 with the original results of that election. The secretary of state may  
6 require that the amended abstracts be certified by each canvassing  
7 board on a uniform date.

8        (4) An amended abstract certified under this section supersedes any  
9 prior abstract of the results for the same offices or issues at the  
10 same primary or election.

11        **Sec. 70.** RCW 29A.64.090 and 2003 c 111 s 1609 are each amended to  
12 read as follows:

13        When the official canvass of returns of any election reveals that  
14 the difference in the number of votes cast for the approval of a  
15 statewide measure and the number of votes cast for the rejection of  
16 such measure is less than two thousand votes and also less than one-  
17 half of one percent of the total number of votes cast on such measure,  
18 the secretary of state shall direct that a recount of all votes cast on  
19 such measure be made on such measure, in the manner provided by RCW  
20 (~~(29A.64.040)~~) 29A.64.041 and (~~(29A.64.060)~~) 29A.64.061, and the cost  
21 of such recount will be at state expense.

22        **Sec. 71.** RCW 29A.68.011 and 2011 c 349 s 25 are each amended to  
23 read as follows:

24        Any justice of the supreme court, judge of the court of appeals, or  
25 judge of the superior court in the proper county shall, by order,  
26 require any person charged with error, wrongful act, or neglect to  
27 forthwith correct the error, desist from the wrongful act, or perform  
28 the duty and to do as the court orders or to show cause forthwith why  
29 the error should not be corrected, the wrongful act desisted from, or  
30 the duty or order not performed, whenever it is made to appear to such  
31 justice or judge by affidavit of an elector that:

32        (1) An error or omission has occurred or is about to occur in  
33 printing the name of any candidate on official ballots; or

34        (2) An error other than as provided in subsections (1) and (3) of  
35 this section has been committed or is about to be committed in printing  
36 the ballots; or

1 (3) The name of any person has been or is about to be wrongfully  
2 placed upon the ballots; or

3 (4) A wrongful act other than as provided for in subsections (1)  
4 and (3) of this section has been performed or is about to be performed  
5 by any election officer; or

6 (5) Any neglect of duty on the part of an election officer other  
7 than as provided for in subsections (1) and (3) of this section has  
8 occurred or is about to occur; or

9 (6) An error or omission has occurred or is about to occur in the  
10 official certification of the election.

11 An affidavit of an elector under subsections (1) and (3) of this  
12 section when relating to a primary election must be filed with the  
13 appropriate court no later than two days following the closing of the  
14 filing period for such office and shall be heard and finally disposed  
15 of by the court not later than five days after the filing thereof. An  
16 affidavit of an elector under subsections (1) and (3) of this section  
17 when relating to a general election must be filed with the appropriate  
18 court no later than three days following the official certification of  
19 the primary election returns, or official certification of candidates  
20 qualified to appear on the general election ballot, whichever is later,  
21 and shall be heard and finally disposed of by the court not later than  
22 five days after the filing thereof. An affidavit of an elector under  
23 subsection (6) of this section shall be filed with the appropriate  
24 court no later than ten days following the official certification of  
25 the election as provided in RCW 29A.60.190, 29A.60.240, or 29A.60.250  
26 or, in the case of a recount, ten days after the official certification  
27 of the amended abstract as provided in RCW 29A.64.061.

28 **Sec. 72.** RCW 29A.68.020 and 2011 c 10 s 64 are each amended to  
29 read as follows:

30 Any of the following causes may be asserted by a registered voter  
31 to challenge the right to assume office of a candidate declared elected  
32 to that office:

33 (1) For misconduct on the part of any (~~member of any precinct~~)  
34 election (~~board~~) officer involved therein;

35 (2) Because the person whose right is being contested was not, at  
36 the time the person was declared elected, eligible to that office;

1 (3) Because the person whose right is being contested was, previous  
2 to the election, convicted of a felony by a court of competent  
3 jurisdiction, the conviction not having been reversed nor the person's  
4 civil rights restored after the conviction;

5 (4) Because the person whose right is being contested gave a bribe  
6 or reward to a voter or to an election officer for the purpose of  
7 procuring the election, or offered to do so;

8 (5) On account of illegal votes.

9 (a) Illegal votes include but are not limited to the following:

10 (i) More than one vote cast by a single voter;

11 (ii) A vote cast by a person disqualified under Article VI, section  
12 3 of the state Constitution.

13 (b) Illegal votes do not include votes cast by improperly  
14 registered voters who were not properly challenged under RCW 29A.08.810  
15 and 29A.08.820.

16 All election contests must proceed under RCW 29A.68.011.

17 **Sec. 73.** RCW 29A.72.080 and 2003 c 111 s 1809 are each amended to  
18 read as follows:

19 Any persons, including the attorney general or either or both  
20 houses of the legislature, dissatisfied with the ballot title or  
21 summary for a state initiative or referendum may, within five days from  
22 the filing of the ballot title in the office of the secretary of state,  
23 appeal to the superior court of Thurston county by petition setting  
24 forth the measure, the ballot title or summary, and their objections to  
25 the ballot title or summary and requesting amendment of the ballot  
26 title or summary by the court. Saturdays, Sundays, and legal holidays  
27 are not counted in calculating the time limits contained in this  
28 section.

29 A copy of the petition on appeal together with a notice that an  
30 appeal has been taken shall be served upon the secretary of state, upon  
31 the attorney general, and upon the person proposing the measure if the  
32 appeal is initiated by someone other than that person. Upon the filing  
33 of the petition on appeal or at the time to which the hearing may be  
34 adjourned by consent of the appellant, the court shall accord first  
35 priority to examining the proposed measure, the ballot title or  
36 summary, and the objections to that ballot title or summary, may hear  
37 arguments, and shall, within five days, render its decision and file

1 with the secretary of state a certified copy of such ballot title or  
2 summary as it determines will meet the requirements of RCW 29A.72.060.  
3 The decision of the superior court shall be final. Such appeal shall  
4 be heard without costs to either party.

5 **Sec. 74.** RCW 29A.72.130 and 2005 c 239 s 3 are each amended to  
6 read as follows:

7 Petitions ordering that acts or parts of acts passed by the  
8 legislature be referred to the people at the next ensuing general  
9 election, or special election ordered by the legislature, must be  
10 substantially in the following form:

11 The warning prescribed by RCW 29A.72.140; followed by:

12 PETITION FOR REFERENDUM

13 To the Honorable . . . . ., Secretary of State of the State of  
14 Washington:

15 We, the undersigned citizens and legal voters of the State of  
16 Washington, respectfully order and direct that Referendum Measure No.  
17 . . . . ., filed to revoke a (or part or parts of a) bill that (concise  
18 statement required by RCW ((~~29A.36.071~~)) 29A.72.050) and that was  
19 passed by the . . . . . legislature of the State of Washington at the  
20 last regular (special) session of said legislature, shall be referred  
21 to the people of the state for their approval or rejection at the  
22 regular (special) election to be held on the . . . . day of November,  
23 (year); and each of us for himself or herself says: I have personally  
24 signed this petition; I am a legal voter of the State of Washington, in  
25 the city (or town) and county written after my name, my residence  
26 address is correctly stated, and I have knowingly signed this petition  
27 only once.

28 The following declaration must be printed on the reverse side of  
29 the petition:

30 I, . . . . ., swear or affirm under penalty of law  
31 that I circulated this sheet of the foregoing petition, and that, to  
32 the best of my knowledge, every person who signed this sheet of the  
33 foregoing petition knowingly and without any compensation or promise of  
34 compensation willingly signed his or her true name and that the  
35 information provided therewith is true and correct. I further  
36 acknowledge that under chapter 29A.84 RCW, forgery of signatures on

1 this petition constitutes a class C felony, and that offering any  
2 consideration or gratuity to any person to induce them to sign a  
3 petition is a gross misdemeanor, such violations being punishable by  
4 fine or imprisonment or both.

5 RCW 9A.46.020 applies to any conduct constituting harassment  
6 against a petition signature gatherer. This penalty does not preclude  
7 the victim from seeking any other remedy otherwise available under law.

8 The petition must include a place for each petitioner to sign and  
9 print his or her name, and the address, city, and county at which he or  
10 she is registered to vote.

11 **Sec. 75.** RCW 29A.72.250 and 2008 c 1 s 10 are each amended to read  
12 as follows:

13 If a referendum or initiative petition for submission of a measure  
14 to the people is found sufficient, the secretary of state shall at the  
15 time and in the manner that he or she certifies (~~for~~) to the county  
16 auditors of the various counties the names of candidates for state and  
17 district officers certify to each county auditor the serial numbers and  
18 ballot titles of the several initiative and referendum measures and  
19 serial numbers and short descriptions of measures submitted for an  
20 advisory vote of the people to be voted upon at the next ensuing  
21 general election or special election ordered by the legislature.

22 **Sec. 76.** RCW 29A.72.290 and 2008 c 1 s 11 are each amended to read  
23 as follows:

24 The county auditor of each county shall print on the official  
25 ballots for the election at which initiative and referendum measures  
26 and measures for an advisory vote of the people are to be submitted to  
27 the people for their approval or rejection, the serial numbers and  
28 ballot titles certified by the secretary of state and the serial  
29 numbers and short descriptions of measures for an advisory vote of the  
30 people. They must appear under separate headings in the order of the  
31 serial numbers as follows:

32 (1) (~~Measures proposed for submission to the people by initiative~~  
33 ~~petition will be under the heading, "Proposed by Initiative Petition"~~)  
34 Initiatives to the people;

35 (2) (~~Bills passed by the legislature and ordered referred to the~~



1 ~~people by referendum petition will be under the heading, "Passed by the~~  
2 ~~Legislature and Ordered Referred by Petition")) Referendum measures;~~

3 ~~(3) ((Bills passed and referred to the people by the legislature~~  
4 ~~will be under the heading, "Proposed to the People by the~~  
5 ~~Legislature")) Referendum bills;~~

6 ~~(4) ((Measures proposed to the legislature and rejected or not~~  
7 ~~acted upon will be under the heading, "Proposed to the Legislature and~~  
8 ~~Referred to the People")) Initiatives to the legislature;~~

9 ~~(5) ((Measures proposed to the legislature and alternative measures~~  
10 ~~passed by the legislature in lieu thereof will be under the heading,~~  
11 ~~"Initiated by Petition and Alternative by Legislature")) Initiatives to~~  
12 ~~the legislature and legislative alternatives;~~

13 ~~(6) ((Measures for an advisory vote of the people under RCW~~  
14 ~~29A.72.040 will be under the heading, "Advisory Vote of the People."))~~  
15 ~~Advisory votes;~~

16 ~~(7) Proposed constitutional amendments.~~

17 **Sec. 77.** RCW 29A.76.020 and 2003 c 111 s 1902 are each amended to  
18 read as follows:

19 ~~((1))~~ The legislative authority of each county and each city,  
20 town, and special purpose district which lies ~~((entirely))~~ within the  
21 county shall provide the county auditor accurate information describing  
22 its geographical boundaries and the boundaries of its director,  
23 council, or commissioner districts and shall ensure that the  
24 information provided to the auditor is kept current.

25 ~~((2) A city, town, or special purpose district that lies in more~~  
26 ~~than one county shall provide the secretary of state accurate~~  
27 ~~information describing its geographical boundaries and the boundaries~~  
28 ~~of its director, council, or commissioner districts and shall ensure~~  
29 ~~that the information provided to the secretary is kept current. The~~  
30 ~~secretary of state shall promptly transmit to each county in which a~~  
31 ~~city, town, or special purpose district is located information~~  
32 ~~regarding the boundaries of that jurisdiction which is provided to the~~  
33 ~~secretary.))~~

34 **Sec. 78.** RCW 29A.76.030 and 2003 c 111 s 1903 are each amended to  
35 read as follows:

36 If the boundaries of any city, township, or rural precinct are

1 changed in the manner provided by law, the county auditor shall  
2 (~~transfer~~) update the registration (~~cards~~) records of every  
3 registered voter whose place of residence is affected thereby (~~to the~~  
4 ~~files of the proper precinct, noting thereon the name or number of the~~  
5 ~~new precinct, or change the addresses, the precinct names or numbers,~~  
6 ~~and the special district designations for those registered voters on~~  
7 ~~the voter registration lists of the county)). It shall not be  
8 necessary for any registered voter whose (~~residence~~) registration has  
9 been changed from one precinct to another, by a change of boundary, to  
10 apply to the (~~registration officer~~) county auditor for a transfer of  
11 registration. The county auditor shall mail a notice to each  
12 (~~registrant in the new precinct a notice that his or her precinct has~~  
13 ~~been changed from . . . . . to . . . . ., and that thereafter the~~  
14 ~~registrant will be entitled to vote in the new precinct, giving the~~  
15 ~~name or number~~) registered voter.~~

16 **Sec. 79.** RCW 29A.80.020 and 2003 c 111 s 2002 are each amended to  
17 read as follows:

18 The state committee of each major political party consists of one  
19 committeeman and one committeewoman from each county elected by the  
20 county central committee at its organization meeting. It must have a  
21 chair and vice chair of opposite sexes. This committee shall meet  
22 during January of each odd-numbered year for the purpose of  
23 organization at a time and place designated by a notice mailed at least  
24 one week before the date of the meeting to all (~~the newly elected~~)  
25 new state committeemen and committeewomen by the authorized officers of  
26 the retiring committee. At its organizational meeting it shall elect  
27 its chair and vice chair, and such officers as its bylaws may provide,  
28 and adopt bylaws, rules, and regulations. It may:

29 (1) Call conventions at such time and place and under such  
30 circumstances and for such purposes as the call to convention  
31 designates. The manner, number, and procedure for selection of state  
32 convention delegates is subject to the committee's rules and  
33 regulations duly adopted;

34 (2) Provide for the election of delegates to national conventions;

35 (3) (~~Fill vacancies on the ticket for any federal or state office~~  
36 ~~to be voted on by the electors of more than one county;~~

37 (~~4~~)) Provide for the nomination of presidential electors; and

1       (~~(5)~~) (4) Perform all functions inherent in such an organization.  
2       Notwithstanding any provision of this chapter, the committee may  
3       not adopt rules governing the conduct of the actual proceedings at a  
4       party state convention.

5       **Sec. 80.** RCW 29A.84.210 and 2003 c 111 s 2109 are each amended to  
6       read as follows:

7       Every officer who willfully violates any of the provisions of  
8       chapter 29A.72 RCW or RCW 29A.32.010 through (~~(29A.32.120)~~) 29A.32.121,  
9       for the violation of which no penalty is herein prescribed, or who  
10      willfully fails to comply with the provisions of chapter 29A.72 RCW or  
11      RCW 29A.32.010 through (~~(29A.32.120)~~) 29A.32.121, is guilty of a gross  
12      misdemeanor punishable to the same extent as a gross misdemeanor that  
13      is punishable under RCW 9A.20.021.

14      **Sec. 81.** RCW 29A.84.261 and 2004 c 271 s 184 are each amended to  
15      read as follows:

16      The following apply to persons signing (~~(nominating)~~) filing fee  
17      petitions prescribed by RCW 29A.24.101:

18      (1) A person who signs a petition with any other than his or her  
19      name shall be guilty of a misdemeanor.

20      (2) A person shall be guilty of a misdemeanor if the person  
21      knowingly: Signs more than one petition for any single candidacy of  
22      any single candidate; signs the petition when he or she is not a legal  
23      voter; or makes a false statement as to his or her residence.

24      **Sec. 82.** RCW 29A.84.510 and 2011 c 10 s 69 are each amended to  
25      read as follows:

26      (1) During the voting period that begins eighteen days before and  
27      ends the day of a special election, general election, or primary, no  
28      person may(~~(7)~~):

29      (a) Within a voting center:

30      (~~(a)~~) (i) Suggest or persuade or attempt to suggest or persuade  
31      any voter to vote for or against any candidate or ballot measure;

32      (~~(b)~~) (ii) Circulate cards or handbills of any kind;

33      (~~(c)~~) (iii) Solicit signatures to any kind of petition; or

34      (~~(d)~~) (iv) Engage in any practice which interferes with the

1 freedom of voters to exercise their franchise or disrupts the  
2 administration of the voting center.

3 ~~((2) No person may))~~ (b) Obstruct the doors or entries to a  
4 building in which a voting center or ballot drop location is located or  
5 prevent free access to and from any voting center or ballot drop  
6 location.

7 (2) Any sheriff, deputy sheriff, or municipal law enforcement  
8 officer shall ~~((prevent such obstruction))~~ stop the prohibited  
9 activity, and may arrest any person ~~((creating such obstruction))~~  
10 engaging in the prohibited activity.

11 (3) Any violation of this section is a gross misdemeanor,  
12 punishable to the same extent as a gross misdemeanor that is punishable  
13 under RCW 9A.20.021, and the person convicted may be ordered to pay the  
14 costs of prosecution.

15 **Sec. 83.** RCW 29A.84.520 and 2011 c 10 s 70 are each amended to  
16 read as follows:

17 Any election officer who does any electioneering at a voting center  
18 or ballot drop location during the voting period that begins eighteen  
19 days before and ends the day of a special election, general election,  
20 or primary~~((7))~~ is guilty of a misdemeanor, and upon conviction must be  
21 fined in any sum not exceeding one hundred dollars and pay the costs of  
22 prosecution.

23 **Sec. 84.** RCW 29A.84.711 and 2004 c 271 s 186 are each amended to  
24 read as follows:

25 Every person who:

26 (1) Knowingly and falsely issues a certificate of nomination or  
27 election; or

28 (2) Knowingly provides false information on a minor party or  
29 independent candidate certificate ~~((which must be filed with an~~  
30 ~~elections officer under chapter 29A.20 RCW,))~~ of nomination is guilty  
31 of a class C felony punishable under RCW 9A.20.021.

32 **Sec. 85.** RCW 29A.88.020 and 2003 c 111 s 2202 are each amended to  
33 read as follows:

34 (1) Within seven days after any recommendation by the president of  
35 the United States of a site in the state of Washington to be a high-

1 level nuclear waste repository under 42 U.S.C. Sec. 10136, the governor  
2 shall set the date for a special statewide election to vote on  
3 disapproval of the selection of such site. The special election shall  
4 be ~~((no more than fifty))~~ held not less than forty-five nor more than  
5 ninety days after the date of the recommendation of the president of  
6 the United States.

7 (2) If either the governor or the legislature submits a notice of  
8 disapproval to the United States Congress within twenty-one days of the  
9 date of the recommendation by the president of the United States, then  
10 the governor is authorized to cancel the special election pursuant to  
11 subsection (1) of this section.

12 **Sec. 86.** RCW 29A.88.040 and 2003 c 111 s 2204 are each amended to  
13 read as follows:

14 The secretary of state shall promptly notify the county auditors of  
15 the date of the special election and certify to them the text of the  
16 ballot title for this special election. The general election laws  
17 shall apply to the election required by RCW 29A.88.020 to the extent  
18 that they are not inconsistent with this chapter. Statutory deadlines  
19 relating to certification, canvassing, and the voters' pamphlet may be  
20 modified for the election held pursuant to RCW 29A.88.020 by the  
21 secretary of state through emergency rules adopted under RCW  
22 ~~((29A.04.610))~~ 29A.04.611.

23 **Sec. 87.** RCW 35.17.020 and 1994 c 223 s 10 and 1994 c 119 s 1 are  
24 each reenacted and amended to read as follows:

25 (1) All regular elections in cities organized under the statutory  
26 commission form of government shall be held quadrennially in the odd-  
27 numbered years on the dates provided in RCW ~~((29.13.020))~~ 29A.04.330.  
28 However, after commissioners are elected at the next general election  
29 occurring in 1995 or 1997, regular elections in cities organized under  
30 a statutory commission form of government shall be held biennially at  
31 municipal general elections.

32 (2) The commissioners shall be nominated and elected at large.  
33 Their terms shall be for four years and until their successors are  
34 elected and qualified and assume office in accordance with RCW  
35 ~~((29.04.170))~~ 29A.20.040 (as recodified by this act). However, at the  
36 next regular election of a city organized under a statutory commission

1 form of government, the terms of office of commissioners shall occur  
2 with the person who is elected as a commissioner receiving the least  
3 number of votes being elected to a two-year term of office and the  
4 other two persons who are elected being elected to four-year terms of  
5 office. Thereafter, commissioners shall be elected to four-year terms  
6 of office.

7 (3) Vacancies on a commission shall occur and shall be filled as  
8 provided in chapter 42.12 RCW(~~(, except that in every instance a person~~  
9 ~~shall be elected to fill the remainder of the unexpired term at the~~  
10 ~~next general municipal election that occurs twenty-eight or more days~~  
11 ~~after the occurrence of the vacancy))).~~

12 **Sec. 88.** RCW 42.12.040 and 2011 c 349 s 27 are each amended to  
13 read as follows:

14 (1) If a vacancy occurs in any partisan elective office in the  
15 executive or legislative branches of state government or in any  
16 partisan county elective office before the first day of the regular  
17 filing period, the position must be open for filing during the regular  
18 filing period as provided in RCW 29A.24.171 and a successor shall be  
19 elected at the general election. Except during the last year of the  
20 term of office, if such a vacancy occurs on or after the first day of  
21 the regular filing period, the election of the successor shall occur at  
22 the next succeeding general election as provided in RCW 29A.24.171.  
23 The elected successor shall hold office for the remainder of the  
24 unexpired term. This section shall not apply to any vacancy occurring  
25 in a charter county which has charter provisions inconsistent with this  
26 section.

27 (2) If a vacancy occurs in any legislative office or in any  
28 partisan county office after the general election in a year that the  
29 position appears on the ballot and before the start of the next term,  
30 the term of the successor who is of the same party as the incumbent may  
31 commence once he or she has qualified as defined in RCW 29A.04.133 and  
32 shall continue through the term for which he or she was elected.

33 **Sec. 89.** RCW 42.12.070 and 2011 c 349 s 28 are each amended to  
34 read as follows:

35 A vacancy on an elected nonpartisan governing body of a special  
36 purpose district where property ownership is not a qualification to

1 vote, a town, or a city other than a first-class city or a charter code  
2 city, shall be filled as follows unless the provisions of law relating  
3 to the special district, town, or city provide otherwise:

4 (1) Where one position is vacant, the remaining members of the  
5 governing body shall appoint a qualified person to fill the vacant  
6 position.

7 (2) Where two or more positions are vacant and two or more members  
8 of the governing body remain in office, the remaining members of the  
9 governing body shall appoint a qualified person to fill one of the  
10 vacant positions, the remaining members of the governing body and the  
11 newly appointed person shall appoint another qualified person to fill  
12 another vacant position, and so on until each of the vacant positions  
13 is filled with each of the new appointees participating in each  
14 appointment that is made after his or her appointment.

15 (3) If less than two members of a governing body remain in office,  
16 the county legislative authority of the county in which all or the  
17 largest geographic portion of the city, town, or special district is  
18 located shall appoint a qualified person or persons to the governing  
19 body until the governing body has two members.

20 (4) If a governing body fails to appoint a qualified person to fill  
21 a vacancy within ninety days of the occurrence of the vacancy, the  
22 authority of the governing body to fill the vacancy shall cease and the  
23 county legislative authority of the county in which all or the largest  
24 geographic portion of the city, town, or special district is located  
25 shall appoint a qualified person to fill the vacancy.

26 (5) If the county legislative authority of the county fails to  
27 appoint a qualified person within one hundred eighty days of the  
28 occurrence of the vacancy, the county legislative authority or the  
29 remaining members of the governing body of the city, town, or special  
30 district may petition the governor to appoint a qualified person to  
31 fill the vacancy. The governor may appoint a qualified person to fill  
32 the vacancy after being petitioned if at the time the governor fills  
33 the vacancy the county legislative authority has not appointed a  
34 qualified person to fill the vacancy.

35 (6) As provided in chapter 29A.24 RCW, each person who is appointed  
36 shall serve until a qualified person is elected at the next election at  
37 which a member of the governing body normally would be elected. (~~if~~  
38 ~~needed, special filing periods shall be authorized as provided in~~

1 ~~chapter 29A.24 RCW for qualified persons to file for the vacant office.~~  
2 ~~A primary shall be held to qualify candidates if sufficient time exists~~  
3 ~~to hold a primary and more than two candidates file for the vacant~~  
4 ~~office. Otherwise, a primary shall not be held and the person~~  
5 ~~receiving the greatest number of votes shall be elected.))~~ The person  
6 elected shall take office immediately and serve the remainder of the  
7 unexpired term.

8 ~~((If an election for the position that became vacant would~~  
9 ~~otherwise have been held at this general election date, only one~~  
10 ~~election to fill the position shall be held and the person elected to~~  
11 ~~fill the succeeding term for that position shall take office~~  
12 ~~immediately when qualified as defined in RCW 29A.04.133 and shall~~  
13 ~~service both the remainder of the unexpired term and the succeeding~~  
14 ~~term.))~~

15 **Sec. 90.** RCW 46.20.155 and 2009 c 369 s 42 are each amended to  
16 read as follows:

17 (1) Before issuing an original license or identicard or renewing a  
18 license or identicard under this chapter, the licensing agent shall  
19 determine if the applicant wants to register to vote or ~~((transfer))~~  
20 update his or her voter registration by asking the following question:

21 "Do you want to register to vote or ~~((transfer))~~ update your voter  
22 registration?"

23 If the applicant chooses to register or ~~((transfer))~~ update a  
24 registration, the agent shall ask the following:

- 25 (1) "Are you a United States citizen?"
- 26 (2) "Are you or will you be eighteen years of age on or before the  
27 next election?"

28 If the applicant answers in the affirmative to both questions, the  
29 agent shall then submit the registration or ~~((transfer))~~ update. If  
30 the applicant answers in the negative to either question, the agent  
31 shall not submit a voter registration application.

32 (2) The department shall establish a procedure that substantially  
33 meets the requirements of subsection (1) of this section when  
34 permitting an applicant to renew a license or identicard by mail or by  
35 electronic commerce.



1       **Sec. 91.** RCW 29A.24.311 and 2012 c 89 s 2 are each amended to read  
2 as follows:

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

10       (2) Votes cast for write-in candidates who have filed such  
11 declarations of candidacy (~~((and write-in votes for persons appointed by~~  
12 ~~major political parties pursuant to RCW 29A.28.021))~~) need only specify  
13 the name of the candidate in the appropriate location on the ballot in  
14 order to be counted. Write-in votes cast for any other candidate, in  
15 order to be counted, must designate the office sought and position  
16 number (~~((or political party))~~), if the manner in which the write-in is  
17 done does not make the office or position clear.

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

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

23       (b) The person attempting to file as a write-in candidate has  
24 already filed a valid write-in declaration for that primary or  
25 election(~~(, unless one or the other of the two filings is for the~~  
26 ~~office of precinct committeeperson))~~);

27       (c) The name of the person attempting to file already appears on  
28 the ballot as a candidate for another office, unless (~~((one of the two~~  
29 ~~offices for which he or she is a candidate is precinct~~  
30 ~~committeeperson))~~) the other office is precinct committee officer or a  
31 temporary elected position, such as charter review board member or  
32 freeholder;

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

34       (4) The declaration of candidacy shall be similar to that required  
35 by RCW 29A.24.031. No write-in candidate filing under this section may  
36 be included in any voter's pamphlet produced under chapter 29A.32 RCW  
37 unless that candidate qualifies to have his or her name printed on the  
38 general election ballot. The legislative authority of any jurisdiction

1 producing a local voter's pamphlet under chapter 29A.32 RCW may  
2 provide, by ordinance, for the inclusion of write-in candidates in such  
3 pamphlets.

4 **Sec. 92.** RCW 29A.36.040 and 2003 c 111 s 904 are each amended to  
5 read as follows:

6 Upon the filing of a ballot title under RCW 29A.36.020 (~~or~~  
7 ~~29A.36.050~~)), the secretary of state shall provide notice of the exact  
8 language of the ballot title and summary to the chief clerk of the  
9 house of representatives, the secretary of the senate, and the prime  
10 sponsor of measure.

11 NEW SECTION. **Sec. 93.** (1) RCW 29A.04.240 is recodified as a  
12 section in chapter 29A.08 RCW.

13 (2) RCW 29A.20.010 and 29A.20.021 are recodified as sections in  
14 chapter 29A.24 RCW.

15 (3) RCW 29A.20.030 and 29A.20.040 are recodified as sections in  
16 chapter 29A.60 RCW.

17 (4) RCW 29A.20.111, 29A.20.121, 29A.20.131, 29A.20.151, 29A.20.161,  
18 29A.20.171, 29A.20.181, and 29A.20.191 are each recodified as sections  
19 in chapter 29A.56 RCW.

20 (5) RCW 29A.28.071 is recodified as a section in chapter 29A.80  
21 RCW.

22 (6) RCW 29A.76.030 is recodified as a section in chapter 29A.16  
23 RCW.

24 NEW SECTION. **Sec. 94.** The following acts or parts of acts are  
25 each repealed:

26 (1) RCW 7.16.370 (Enforcement of term limits for elected officials)  
27 and 1993 c 1 s 9;

28 (2) RCW 29A.04.225 (Public disclosure reports) and 2005 c 274 s 248  
29 & 2003 c 111 s 136;

30 (3) RCW 29A.08.250 (Furnished by secretary of state) and 2005 c 246  
31 s 13, 2004 c 267 s 117, 2003 c 111 s 220, 2001 c 41 s 8, 1999 c 298 s  
32 7, & 1993 c 434 s 8;

33 (4) RCW 29A.08.785 (Information services board, consultation) and  
34 2004 c 267 s 140;

1 (5) RCW 29A.12.170 (Consultation with information services board)  
2 and 2004 c 267 s 321;

3 (6) RCW 29A.20.141 (Convention--Requirements for validity) and 2004  
4 c 271 s 111;

5 (7) RCW 29A.20.201 (Declarations of candidacy required,  
6 exceptions--Payment of fees) and 2004 c 271 s 113;

7 (8) RCW 29A.24.030 (Declaration of candidacy) and 2005 c 2 s 9,  
8 2003 c 111 s 603, 2002 c 140 s 1, & 1990 c 59 s 82;

9 (9) RCW 29A.24.120 (Date for withdrawal--Notice) and 2003 c 111 s  
10 612;

11 (10) RCW 29A.28.011 (Major party ticket) and 2004 c 271 s 191;

12 (11) RCW 29A.28.021 (Death or disqualification--Correcting  
13 ballots--Counting votes already cast) and 2006 c 344 s 11 & 2004 c 271  
14 s 192;

15 (12) RCW 29A.32.036 (Even year primary contents) and 2004 c 271 s  
16 122;

17 (13) RCW 29A.32.050 (Notice of constitutional amendments and state  
18 measures--Explanatory statement) and 2009 c 415 s 4, 2003 c 111 s 805,  
19 1967 c 96 s 3, & 1965 c 9 s 29.27.076;

20 (14) RCW 29A.36.050 (Statewide question--Ballot title--Formulation,  
21 ballot display) and 2003 c 111 s 905;

22 (15) RCW 29A.36.104 (Partisan primary ballots--Formats) and 2007 c  
23 38 s 2 & 2004 c 271 s 126;

24 (16) RCW 29A.36.106 (Partisan primary ballots--Required statements)  
25 and 2007 c 38 s 3 & 2004 c 271 s 127;

26 (17) RCW 29A.36.171 (Nonpartisan candidates qualified for general  
27 election) and 2004 c 271 s 170;

28 (18) RCW 29A.36.191 (Partisan candidates qualified for general  
29 election) and 2004 c 271 s 133;

30 (19) RCW 29A.52.011 (Elections to fill unexpired term--No primary,  
31 when) and 2006 c 344 s 14 & 2004 c 271 s 172;

32 (20) RCW 29A.52.106 (Intent) and 2004 c 271 s 140;

33 (21) RCW 29A.52.111 (Application of chapter--Exceptions) and 2004  
34 c 271 s 173;

35 (22) RCW 29A.52.116 (Application of chapter--Exceptions) and 2004  
36 c 271 s 139;

37 (23) RCW 29A.52.130 (Blanket primary authorized) and 2003 c 111 s  
38 1304;

1 (24) RCW 29A.52.141 (Instructions) and 2004 c 271 s 141;  
2 (25) RCW 29A.52.151 (Ballot format--Procedures) and 2007 c 38 s 4  
3 & 2004 c 271 s 142;  
4 (26) RCW 29A.53.010 (Finding--Intent) and 2005 c 153 s 1;  
5 (27) RCW 29A.53.020 (Participant qualifications, procedures,  
6 report) and 2005 c 153 s 2;  
7 (28) RCW 29A.53.030 (Definitions) and 2005 c 153 s 3;  
8 (29) RCW 29A.53.040 (Application of election laws) and 2005 c 153  
9 s 4;  
10 (30) RCW 29A.53.050 (Tabulation of ballots--Counting stages) and  
11 2005 c 153 s 5;  
12 (31) RCW 29A.53.060 (Voting conditions and limitations) and 2005 c  
13 153 s 6;  
14 (32) RCW 29A.53.070 (Local option authorized) and 2005 c 153 s 7;  
15 (33) RCW 29A.53.080 (Ballot specifications and directions to  
16 voters) and 2005 c 153 s 8;  
17 (34) RCW 29A.53.090 (Changes in voting devices and counting  
18 methods) and 2005 c 153 s 9;  
19 (35) RCW 29A.53.900 (Expiration date) and 2005 c 153 s 13;  
20 (36) RCW 29A.53.901 (Captions not law--2005 c 153) and 2005 c 153  
21 s 16;  
22 (37) RCW 29A.53.902 (Severability--2005 c 153) and 2005 c 153 s 17;  
23 (38) RCW 29A.80.011 (Authority--Generally) and 2004 c 271 s 183;  
24 (39) RCW 44.04.015 (Term limits) and 1993 c 1 s 3; and  
25 (40) RCW 49.28.120 (Employer's duty to provide time to vote) and  
26 1987 c 296 s 1.

27 NEW SECTION. **Sec. 95.** 2009 c 369 s 27 is repealed.

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