

# HOUSE BILL REPORT

## HB 2477

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**As Reported by House Committee On:**  
State Government

**Title:** An act relating to candidate filing fee petitions.

**Brief Description:** Concerning candidate filing fee petitions.

**Sponsors:** Representatives Fitzgibbon, Cody and Bergquist.

**Brief History:**

**Committee Activity:**

State Government: 1/19/16, 2/4/16 [DPS].

**Brief Summary of Substitute Bill**

- Allows any candidate for elected office to submit a filing fee petition by the Friday three weeks before Memorial Day in lieu of paying a filing fee.
- Permits a candidate for whom a filing fee petition has been rejected due to a lack of valid signatures to pay a filing fee equal to the number of necessary signatures if the petition contains at least 95 percent valid signatures.

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### HOUSE COMMITTEE ON STATE GOVERNMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives S. Hunt, Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Frame, Hawkins and Moscoso.

**Staff:** Dawn Eychaner (786-7135).

**Background:**

*Declarations of Candidacy.*

Any person who wishes to run for elected office must file a declaration of candidacy. The Secretary of State (SOS) is the filing officer for candidacy declarations for statewide office, congressional office, state legislative office, the court of appeals, and the superior court when the district covers two or more counties. All other candidacy declarations are filed with the

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county auditor. Candidates may file declarations of candidacy electronically. Declarations of candidacy filings are accepted during the week that is two weeks before Memorial Day.

*Filing Fee Petitions.*

Candidates must pay a filing fee of \$10 for any office with a fixed annual salary of \$1,000 or less. All other offices require a filing fee equal to 1 percent of the annual salary of the office. A candidate who lacks sufficient assets or income to pay the required fee may instead submit a filing fee petition. The petition must contain the number of signatures of registered voters equal to the amount of the filing fee. Filing fee petitions must be signed by hand and submitted in hard copy. A filing fee petition may be rejected if it is not in the proper form, has insufficient signatures, or is not submitted on time.

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**Summary of Substitute Bill:**

Any candidate may submit with his or her declaration of candidacy a filing fee petition in lieu of paying the filing fee. The filing fee petition must be submitted by the Friday three weeks before Memorial Day. The filing officer must accept or reject the petition and notify the candidate by phone and email, by noon on the Wednesday two weeks before Memorial Day.

If the petition contains at least 95 percent of the needed valid signatures and is rejected by the filing officer for insufficient signatures, the candidate may pay a filing fee equal to the number of rejected signatures identified in the notice. The required portion of the filing fee must be paid within two business days of the notice.

**Substitute Bill Compared to Original Bill:**

The substitute bill adds deadlines for the submission of the filing fee petition, notification to the candidate of insufficient signatures, and the payment of the filing fee if a portion of a fee is required. The option for a candidate to provide a supplemental petition with additional signatures, should the first petition be found to have insufficient signatures, is removed.

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**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on February 5, 2016.

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

**Staff Summary of Public Testimony:**

(In support) This bill arose from an issue that occurred in Seattle last year when a candidate who had collected signatures for a petition was disqualified due to insufficient signatures and was not allowed to pay the difference in the filing fee. This does not occur very often, but if

we want candidates to engage with their communities, the ability to use a combination of the signature petition and fee would be beneficial. This is a fairness issue, and this bill is a positive, democratizing change in our election laws.

(Opposed) None.

(Other) While current state law requires a campaign to be indigent in order for a candidate to submit a filing fee petition, that statement is taken at face value when a petition is accepted by the SOS. The statute currently does not require signatures to be checked by the end of the filing period. The SOS is neutral on this policy change but has some concerns about the timeline. In its current form, the bill would have counties waiting until the end of May to know who the candidates are, and it would be unlikely counties would meet the June 18 deadline to mail ballots to military and overseas voters. The SOS would like to see amending language to correct this so we are not out of compliance with federal law on the deadline to get overseas ballots out within 45 days before the primary.

**Persons Testifying:** (In support) Representative Fitzgibbon, prime sponsor; and Martin Westerman.

(Other) Toni McKinley-Camp and Lori Augino, Office of the Secretary of State.

**Persons Signed In To Testify But Not Testifying:** None.