
SUBSTITUTE HOUSE BILL 1469

State of Washington

65th Legislature

2018 Regular Session

By House State Government, Elections & Information Technology
(originally sponsored by Representatives Hudgins, Manweller, Haler,
Griffey, Van Werven, and Doglio; by request of Secretary of State)

READ FIRST TIME 01/26/18.

1 AN ACT Relating to the presidential primary; amending RCW
2 29A.56.010, 29A.56.020, 29A.56.030, 29A.56.040, 29A.56.050,
3 29A.60.190, 29A.08.161, and 29A.04.206; and adding a new section to
4 chapter 29A.56 RCW.

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

6 **Sec. 1.** RCW 29A.56.010 and 2003 c 111 s 1401 are each amended to
7 read as follows:

8 In 1989, the people of the state of Washington ((declare))
9 declared that:

10 (1) The current presidential nominating caucus system in
11 Washington state is unnecessarily restrictive of voter participation
12 in that it discriminates against ((~~the elderly, the infirm, women,~~
13 ~~the~~)) persons who are disabled, evening workers, persons who are
14 retired, members of the armed services, and others who are unable to
15 attend caucuses and therefore unable to fully participate in this
16 most important quadrennial event that occurs in our democratic system
17 of government.

18 (2) It is the intent of this chapter to make the presidential
19 selection process more open and representative of the will of the
20 people of our state, to update the primary process to provide an

1 earlier default date, and to provide the flexibility needed to
2 promote a regional presidential primary.

3 (3) A presidential primary (~~((will))~~) affords the maximum
4 opportunity for voter access (~~((at regular polling places during the~~
5 ~~daytime and evening hours))~~) with voting by mail convenient to the
6 most people.

7 (4) This state's participation in the selection of presidential
8 candidates shall be in accordance with the will of the people as
9 expressed in a presidential (~~((preference))~~) primary.

10 (5) It is the intent of this chapter, to the maximum extent
11 practicable, to continue to reserve to the political parties the
12 right to conduct their delegate selection as prescribed by party
13 rules insofar as it reflects the will of the people as expressed in a
14 presidential primary election conducted every four years in the
15 manner described by this chapter.

16 **Sec. 2.** RCW 29A.56.020 and 2003 c 111 s 1402 are each amended to
17 read as follows:

18 (1) On the (~~((fourth))~~) second Tuesday in (~~((May))~~) March of each
19 year in which a president of the United States is to be nominated and
20 elected, a presidential primary shall be held at which voters may
21 vote for the nominee of a major political party for the office of
22 president. The secretary of state may propose an alternative date for
23 the primary no later than the first day of (~~((August))~~) July of the
24 year before the year in which a president is to be nominated and
25 elected.

26 (2) No later than the (~~((first))~~) fifteenth day of (~~((September))~~)
27 July of the year before the year in which a presidential nominee is
28 selected, the state committee of any major political party that will
29 use the primary results for candidates of that party may propose an
30 alternative date for that primary.

31 (3) If an alternative date is proposed under subsection (1) or
32 (2) of this section, a committee consisting of the chair and the vice
33 chair of the state committee of each major political party, the
34 secretary of state, the majority leader and minority leader of the
35 senate, and the speaker and the minority leader of the house of
36 representatives shall meet and, if affirmed by a two-thirds vote of
37 the members of the committee, the date of the primary shall be
38 changed. The committee shall meet and decide on the proposed
39 alternate date not later than the (~~((first))~~) thirty-first day of

1 ((October)) July of the year before the year in which a presidential
2 nominee is selected. The secretary of state shall convene and preside
3 over the meeting of the committee. A committee member other than a
4 legislator may appoint, in writing, a designee to serve on his or her
5 behalf. A legislator who is a member of the committee may appoint, in
6 writing, another legislator to serve on his or her behalf.

7 (4) If an alternate date is approved under this section, the
8 secretary of state shall adopt rules under RCW 29A.04.620 to adjust
9 the deadlines in RCW 29A.56.030 and related provisions of this
10 chapter to correspond with the date that has been approved.

11 NEW SECTION. **Sec. 3.** A new section is added to chapter 29A.56
12 RCW to read as follows:

13 (1) The secretary of state may change the date of the
14 presidential primary to a date later in the calendar year in order to
15 coordinate a regional primary with Arizona, California, Idaho,
16 Nevada, Oregon, and Utah, as well as other western states. Any change
17 in the date must be made on or before the first day of December of
18 the year before the year in which presidential nominees are selected.

19 (2) If an alternate date is selected under this section, the
20 secretary of state shall adopt rules under RCW 29A.04.620 to adjust
21 the deadlines in RCW 29A.56.030 and related provisions of this
22 chapter to correspond with the selected date.

23 **Sec. 4.** RCW 29A.56.030 and 2011 c 349 s 19 are each amended to
24 read as follows:

25 (1) The name of any candidate for a major political party
26 nomination for president of the United States shall be printed on the
27 presidential ((preference)) primary ballot of a major political party
28 only:

29 ((+1)) (a) By direction of the secretary of state, who in the
30 secretary's sole discretion has determined that the candidate's
31 candidacy is generally advocated or is recognized in national news
32 media; or

33 ((+2)) (b) If members of the political party of the candidate
34 have presented a petition for nomination of the candidate that has
35 attached to the petition a sheet or sheets containing the signatures
36 of at least one thousand registered voters who declare themselves in
37 the petition as being affiliated with the same political party as the
38 presidential candidate. The petition shall be filed with the

1 secretary of state not later than seventy-five days before the
2 presidential ((~~preference~~)) primary. The signature sheets shall also
3 contain the residence address and ((~~name or number of the precinct~~))
4 zip code of each registered voter whose signature appears thereon and
5 shall be certified in the manner prescribed in RCW 29A.72.230 and
6 29A.72.240.

7 (2) The secretary of state shall place the name of the candidate
8 on the ballot unless the candidate, at least sixty-seven days before
9 the presidential ((~~preference~~)) primary, executes and files with the
10 secretary of state an affidavit stating without qualification that he
11 or she ((~~is not now and will not become a candidate for the office of~~
12 ~~president of the United States at the forthcoming presidential~~
13 ~~election~~)) wishes to have his or her name removed from the state's
14 presidential primary ballot.

15 (3) If, prior to the sixty-seventh day before the presidential
16 primary, a candidate has died, withdrawn from consideration, or
17 suspended his or her campaign, the secretary of state may, at the
18 secretary's sole discretion, remove the candidate's name from the
19 ballot upon the secretary's determination that information of the
20 candidate's death, withdrawal from consideration, or suspension of
21 campaign has been widely reported and recognized in the national
22 media.

23 (4) The secretary of state shall certify the names of all
24 candidates who will appear on the presidential ((~~preference~~)) primary
25 ballot to the respective county auditors ((~~on or before the fourth~~
26 ~~Tuesday in April of each presidential election year~~)) at least sixty
27 days before the presidential primary.

28 **Sec. 5.** RCW 29A.56.040 and 2013 c 11 s 54 are each amended to
29 read as follows:

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

34 (2) The arrangement and form of presidential primary ballots must
35 be established by administrative rule adopted under RCW 29A.04.620.
36 Only the candidates who have qualified under RCW 29A.56.030 may
37 appear on the ballots.

38 (3) Each party's ballot or portion of the ballot must list
39 alphabetically the names of all candidates for the office of

1 president. The ballot must clearly indicate the political party of
2 each candidate. (~~Each ballot must include a blank space to allow the~~
3 ~~voter to write in the name of any other candidate.~~)

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

8 **Sec. 6.** RCW 29A.56.050 and 2003 c 111 s 1405 are each amended to
9 read as follows:

10 (1) A major political party may, under national or state party
11 rules, base the allocation of delegates from this state to the
12 national nominating convention of that party in whole or in part on
13 the participation in precinct caucuses and conventions conducted
14 under the rules of that party.

15 (2) If requested by a major political party, the secretary of
16 state shall adopt rules under RCW 29A.04.620 to provide for any
17 declaration required by that party.

18 (3) Voters who subscribe to a specific political party
19 declaration under this section must be given ballots that are readily
20 distinguishable from those given to other voters. Votes cast by
21 persons making these declarations must be tabulated and reported
22 separately from other votes cast at the primary and may be used by a
23 major political party in its allocation of delegates under the rules
24 of that party.

25 (4) (~~For a political party that requires a specific voter~~
26 ~~declaration under this section,~~) The secretary of state shall
27 prescribe rules for providing(, ~~to the state and county committees~~
28 ~~of that political party,~~) to the public a copy of the declarations
29 or a list of the voters who participated in the presidential
30 nominating process of (~~that~~) each political party.

31 **Sec. 7.** RCW 29A.60.190 and 2015 c 146 s 4 are each amended to
32 read as follows:

33 Ten days after a special election held in February or April, ten
34 days after a presidential primary held pursuant to chapter 29A.56
35 RCW, fourteen days after a primary, or twenty-one days after a
36 general election, the county canvassing board shall complete the
37 canvass and certify the results. Each ballot that was returned before
38 8:00 p.m. on the day of the special election, general election, or

1 primary, and each ballot bearing a postmark on or before the date of
2 the special election, general election, or primary and received no
3 later than the day before certification, must be included in the
4 canvass report.

5 **Sec. 8.** RCW 29A.08.161 and 2004 c 271 s 107 are each amended to
6 read as follows:

7 No record may be created or maintained by a state or local
8 governmental agency or a political organization that identifies a
9 voter with the information marked on the voter's ballot, including
10 the choice that a voter makes on a partisan primary ballot regarding
11 political party affiliation. This section does not apply to voter
12 party declaration information under RCW 29A.56.050.

13 **Sec. 9.** RCW 29A.04.206 and 2005 c 2 s 3 are each amended to read
14 as follows:

15 The rights of Washington voters are protected by its constitution
16 and laws and include the following fundamental rights:

17 (1) The right of qualified voters to vote at all elections;

18 (2) The right of absolute secrecy of the vote. No voter may be
19 required to disclose political faith or adherence in order to vote,
20 except for the presidential primary conducted under chapter
21 29A.56 RCW;

22 (3) The right to cast a vote for any candidate for each office
23 without any limitation based on party preference or affiliation, of
24 either the voter or the candidate.

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