

**SSB 5182 - H AMD 621**

By Representative Corry

**NOT ADOPTED 04/11/2023**

1 On page 7, after line 19, insert the following:

2 "Sec. 11. RCW 29A.24.075 and 2013 c 11 s 25 are each amended to  
3 read as follows:

4 (1) A person filing a declaration of candidacy for an office  
5 shall, at the time of filing, be a registered voter and possess the  
6 qualifications specified by law for persons who may be elected to  
7 the office.

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

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

27

1       (4) The filing officer may not submit the name of a candidate  
2 for an office for inclusion on the ballot if, pursuant to this  
3 section, at the time that the candidate's declaration of candidacy  
4 is filed, the candidate is not properly registered to vote in the  
5 geographic area represented by the office or does not possess the  
6 qualifications specified by law for persons who may be elected to  
7 the office. If the filing officer finds that the candidate is  
8 unqualified to hold the office:

9       (a) In a case in which a primary must be conducted for the  
10 office and has already occurred:

11       (i) If ballots for the general election for the office have not  
12 been ordered by the county auditor, the candidate who received the  
13 third greatest number of votes for the office at the primary shall  
14 qualify as a candidate for general election and that candidate's  
15 name shall be printed on the ballot for the office in lieu of the  
16 name of the disqualified candidate.

17       (ii) If general election ballots for the office have been so  
18 ordered, votes cast for the disqualified candidate at the general  
19 election for the office may not be counted for that office.

20       (b) In a case in which a primary must be conducted for the  
21 office but has not yet occurred:

22       (i) If ballots for the primary election for the office have not  
23 been ordered by the county auditor, the name of the disqualified  
24 candidate may not appear on the primary election ballot for the  
25 office.

26       (ii) If primary election ballots for the office have been so  
27 ordered, votes cast for the disqualified candidate at the primary  
28 election for the office may not be counted for that office.

29       (c) In a case in which a primary is not conducted for the office:

30       (i) If ballots for the general election for the office have not  
31 been ordered by the county auditor, the name of the disqualified  
32 candidate may not appear on the general election ballot for the  
33 office.

34

1        (ii) If general election ballots for the office have been so  
2 ordered, votes cast for the disqualified candidate at the general  
3 election for the office may not be counted for that office.

4        (d) If the disqualified candidate is the only candidate to have  
5 filed for the office during a regular or special filing period for  
6 the office, a void in candidacy for the office exists.

7        (5) The requirements of voter registration and residence within  
8 the geographic area of a district do not apply to candidates for  
9 congressional office. Qualifications for the United States congress  
10 are specified in the United States Constitution.

11  
12        **Sec. 12.** RCW 29A.36.101 and 2013 c 11 s 41 are each amended to  
13 read as follows:

14        Except as provided in RCW 29A.24.075, for the candidates for  
15 president and vice president, or for a partisan or nonpartisan  
16 office for which no primary is required, the names of all candidates  
17 who, under this title, filed a declaration of candidacy must appear  
18 on the appropriate ballot at the primary throughout the jurisdiction  
19 for which they filed."

20  
21        Correct the title.

22  
  
**EFFECT:** Specifies that the filing officer may not submit the  
name of a candidate for office for inclusion on the ballot unless  
that candidate is properly registered to vote in the geographic area  
represented by the office and possesses the qualification to hold  
that office at the time that the declaration of candidacy is filed.  
Provides a procedure for the conduct of elections if the filing  
officer finds that a candidate is unqualified to hold the office.

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