

---

HOUSE BILL 2250

---

State of Washington

68th Legislature

2024 Regular Session

**By** Representatives Gregerson, Walen, Mena, Ramel, Duerr, Peterson, Reed, Berry, Berg, Stonier, Callan, Ryu, Chapman, Bateman, Reeves, Paul, Ormsby, Fosse, Cortes, Macri, Doglio, and Goodman

Read first time 01/09/24. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to increasing representation and voter  
2 participation in local elections; amending RCW 29A.60.221,  
3 29A.52.112, 29A.52.220, 29A.24.010, 36.32.040, 36.32.050, 35A.12.040,  
4 28A.343.320, 29A.04.410, 29A.12.080, and 29A.36.121; reenacting and  
5 amending RCW 29A.36.170; adding a new section to chapter 29A.52 RCW;  
6 adding a new section to chapter 29A.04 RCW; adding a new section to  
7 chapter 52.14 RCW; adding a new section to chapter 53.12 RCW;  
8 creating new sections; repealing RCW 29A.04.127; and providing an  
9 expiration date.

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

11 NEW SECTION. **Sec. 1.** The legislature finds that jurisdictions  
12 throughout the state have been discussing adopting ranked choice  
13 voting to elect their officials, with some jurisdictions exploring  
14 the concept through resolutions and proposed charter amendments,  
15 plaintiffs in Yakima county requesting it as a remedy under the  
16 Washington voting rights act in July 2020, and Seattle voters having  
17 already chosen it in November 2022. Without legislative guidance,  
18 however, local governments and courts considering ranked choice  
19 voting must independently develop their own unique methodology to  
20 implement it.

1 The legislature wishes to ensure that state law provides  
2 consistent and clear rules governing the use of ranked choice voting  
3 in Washington. The legislature therefore intends for this act to  
4 provide baseline definitions and legal requirements for ranked choice  
5 voting elections throughout the state.

6 The legislature further intends to create a work group to aid the  
7 secretary of state in developing effective rules and implementation  
8 materials for local governments that enact ranked choice voting  
9 through popular vote, by action of their governing body, or as a  
10 remedy under the Washington voting rights act. The work group will  
11 also develop high quality voter education standards and support  
12 materials to aid in the implementation of ranked choice voting  
13 throughout the state.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 29A.52  
15 RCW to read as follows:

16 (1) Except as provided in subsections (2) and (3) of this  
17 section, a county, city, town, school district, fire district, or  
18 port district may conduct its elections using ranked choice voting. A  
19 county, city, town, school district, fire district, or port district  
20 that adopts ranked choice voting may, but need not, use ranked choice  
21 voting for all offices in an election.

22 (2) A city, town, school district, fire district, or port  
23 district that has voters in more than one county may conduct an  
24 election using ranked choice voting only if:

25 (a) Another city, town, or district that lies entirely within at  
26 least two of the counties in which the city, town, or district has  
27 voters uses ranked choice voting; or

28 (b) A court orders the use of ranked choice voting as provided in  
29 this section as a remedy under RCW 29A.92.110.

30 (3) Ranked choice voting may not be used in an election for an  
31 office for which two or fewer candidates are competing.

32 (4) An election using ranked choice voting must meet the  
33 following requirements:

34 (a) The county auditor shall design the ballot to allow a voter  
35 to rank the candidates for a particular office in order of  
36 preference, including one write-in candidate;

37 (b) The county auditor must allow a voter to rank at least five  
38 candidates per office. The secretary of state may adopt rules that  
39 determine the maximum number of candidates per office that a voter is

1 allowed to rank on a ballot in order to accommodate technical  
2 limitations from voting systems and ensure compatibility with all  
3 ballot formats;

4 (c) A voter does not need to rank the maximum number of  
5 candidates. The county auditor shall count a ballot regardless of how  
6 many candidates the voter has ranked. The county auditor shall not  
7 count votes for rankings made by a voter that are greater than the  
8 maximum number of rankings allowed for each office;

9 (d) If a voter skips one or more numbers in ranking candidates,  
10 or ranks an invalid write-in candidate, the county auditor shall  
11 count any votes after the skipped number for the voter's next-highest  
12 ranked candidates as if the voter had not skipped the number;

13 (e) If a voter provides the same number ranking to more than one  
14 candidate, the county auditor may not count that vote ranking for any  
15 candidate and may not count a vote for any subsequent number ranking  
16 for that office;

17 (f) The election must be one of two types of ranked choice voting  
18 elections. If the election is a single-winner contest, including an  
19 election in which multiple positions with the same name, district  
20 number, or title are dealt with as separate offices, the winner of  
21 each contest must be determined using the instant runoff voting  
22 method, as defined in this section and further provided in secretary  
23 of state rules. If the election is a multiwinner contest in which the  
24 positions are not dealt with as separate offices, including a  
25 primary, the winners must be determined using the single transferable  
26 vote method, as defined in this section and further provided in  
27 secretary of state rules;

28 (g) If the requisite number of officers have not been elected, or  
29 selected to continue to further rounds of vote tabulation, by reason  
30 of two or more persons having an equal and highest number of votes  
31 for the same office, the official empowered by state law to issue the  
32 original certificate of election shall resolve the tie as provided in  
33 RCW 29A.60.221.

34 (5) A county, city, town, or district that conducts a general  
35 election for a single-winner contest using ranked choice voting must  
36 hold a primary using the single transferable vote method to winnow  
37 candidates for the election to a final list of five candidates. A  
38 county, city, town, or district that conducts a general election for  
39 a multiwinner contest using ranked choice voting may not hold a  
40 primary.

1 (6) A county, city, town, or district that adopts ranked choice  
2 voting must implement ranked choice voting within two years following  
3 its adoption.

4 (7) The county auditor whose county encompasses a county, city,  
5 town, or district that adopts ranked choice voting is responsible for  
6 the implementation of the system. If a city, town, or district has  
7 voters in two or more counties, each county auditor in which the  
8 city, town, or district has voters is responsible for its  
9 implementation.

10 (8) The secretary of state, before May 1, 2025, and in  
11 consultation with the ranked choice voting work group created in  
12 section 15 of this act, shall adopt rules to administer this section.  
13 The secretary's rules must address, at minimum:

14 (a) Procedures for administering an election that includes voters  
15 in more than one county as provided in subsection (2) of this  
16 section; and

17 (b) Procedures for tabulating votes under the instant runoff  
18 voting method and single transferable vote method as provided in  
19 subsection (4) of this section.

20 (9) The secretary of state shall develop educational materials  
21 for the public and provide training for county auditors to implement  
22 ranked choice voting in accordance with the work group  
23 recommendations described in section 15 of this act.

24 (10) As used in this section:

25 (a) "Ranked choice voting" means a method of counting votes in  
26 which votes are tabulated based on a voter's ranking of candidates in  
27 order of preference as provided in this section.

28 (b) "Instant runoff voting method" means a method of counting  
29 votes in which ballots are counted in rounds and the candidate  
30 receiving the fewest number of votes is eliminated, continuing until  
31 one candidate receives a majority of all votes counted in that round  
32 and is declared the winner.

33 (c) "Single transferable vote method" means a method of counting  
34 votes in which:

35 (i) A winning threshold is calculated based on the number of  
36 votes cast and the number of seats to be filled, plus one;

37 (ii) Ballots are counted in rounds, and at the end of each round  
38 any candidate who receives enough votes to pass the winning threshold  
39 is declared elected. Any votes received by that candidate in excess  
40 of the threshold to win are transferred to other candidates. After

1 all such votes have been transferred so that no candidate has votes  
2 exceeding the winning threshold, the candidate with the least number  
3 of votes is eliminated, and their votes are transferred to other  
4 candidates in the next round; and

5 (iii) The counting process stops when the number of elected  
6 candidates equals the number of seats to be filled, or the number of  
7 candidates remaining equals the number of seats not yet filled by an  
8 elected candidate.

9 (11) This section does not apply to any jurisdiction that, on the  
10 effective date of this section, uses ranked choice voting for one or  
11 more offices.

12 **Sec. 3.** RCW 29A.60.221 and 2004 c 271 s 176 are each amended to  
13 read as follows:

14 (1) If the requisite number of any federal, state, county, city,  
15 or district offices have not been nominated in a primary by reason of  
16 two or more persons having an equal and requisite number of votes for  
17 being placed on the general election ballot, the official empowered  
18 by state law to certify candidates for the general election ballot  
19 shall give notice to the several persons so having the equal and  
20 requisite number of votes to attend at the appropriate office at the  
21 time designated by that official, who shall then and there proceed  
22 publicly to decide by lot which of those persons will be declared  
23 nominated and placed on the general election ballot.

24 (2) If the requisite number of any federal, state, county, city,  
25 district, or precinct officers have not been elected by reason of two  
26 or more persons having an equal and highest number of votes for one  
27 and the same office, the official empowered by state law to issue the  
28 original certificate of election shall give notice to the several  
29 persons so having the highest and equal number of votes to attend at  
30 the appropriate office at the time to be appointed by that official,  
31 who shall then and there proceed publicly to decide by lot which of  
32 those persons will be declared duly elected, and the official shall  
33 make out and deliver to the person thus duly declared elected a  
34 certificate of election.

35 (3) For a tie occurring at any point in the counting process of  
36 an election conducted using ranked choice voting as provided in  
37 section 2 of this act, the official empowered by state law to certify  
38 candidates for the general election ballot shall resolve the tie  
39 using the lot method described in this section. If the tie occurs

1 before the final round of counting, the tie must be resolved as  
2 expeditiously as possible.

3 NEW SECTION. **Sec. 4.** A new section is added to chapter 29A.04  
4 RCW to read as follows:

5 "Primary" or "primary election" means a procedure for winnowing  
6 candidates for public office to a final list of two as part of a  
7 special or general election, or to a final list of five in a county,  
8 city, town, or district election that uses ranked choice voting as  
9 provided in section 2 of this act. Each voter has the right to cast a  
10 vote for any candidate for each office without any limitation based  
11 on party preference or affiliation, of either the voter or the  
12 candidate.

13 **Sec. 5.** RCW 29A.36.170 and 2013 c 143 s 1 and 2013 c 11 s 45 are  
14 each reenacted and amended to read as follows:

15 For any office for which a primary was held, only the names of  
16 the top two candidates will appear on the general election ballot,  
17 unless the election will be conducted using ranked choice voting as  
18 provided in section 2 of this act, in which case only the names of  
19 the top five candidates will appear on the general election ballot;  
20 the name of the candidate who received the greatest number of votes  
21 will appear first and the candidate who received the next greatest  
22 number of votes will appear second. No candidate's name may be  
23 printed on the subsequent general election ballot unless he or she  
24 receives at least one percent of the total votes cast for that office  
25 at the preceding primary, if a primary was conducted. On the ballot  
26 at the general election for an office for which no primary was held,  
27 the names of the candidates shall be listed in the order determined  
28 pursuant to RCW 29A.36.131.

29 **Sec. 6.** RCW 29A.52.112 and 2014 c 7 s 1 are each amended to read  
30 as follows:

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

33 (2) Whenever candidates for a partisan office are to be elected,  
34 the general election must be preceded by a primary conducted under  
35 this chapter, unless the general election is a multiwinner contest  
36 using ranked choice voting as provided in section 2 of this act.

1 (3) Based upon votes cast at the primary, the top two candidates,  
2 or the top five candidates in a primary for a single-winner general  
3 election conducted using ranked choice voting as provided in section  
4 2 of this act, will be certified as qualified to appear on the  
5 general election ballot(~~(, unless only one candidate qualifies as~~  
6 ~~provided in RCW 29A.36.170))~~).

7 ~~((3))~~ (4) No primary may be held for any single county partisan  
8 office to fill an unexpired term if, after the last day allowed for  
9 candidates to withdraw(~~(~~):

10 (a) Only one candidate has filed for the position; or

11 (b) In a primary for a single-winner general election conducted  
12 using ranked choice voting as provided in section 2 of this act, five  
13 or fewer candidates have filed for the position.

14 ~~((4))~~ (5) For partisan office, if a candidate has expressed a  
15 party preference on the declaration of candidacy, then that  
16 preference will be shown after the name of the candidate on the  
17 primary and general election ballots as set forth in rules of the  
18 secretary of state. A candidate may choose to express no party  
19 preference. Any party preferences are shown for the information of  
20 voters only and may in no way limit the options available to voters.

21 **Sec. 7.** RCW 29A.52.220 and 2013 c 195 s 1 are each amended to  
22 read as follows:

23 (1) No primary may be held for any single position in any  
24 nonpartisan office if, after the last day allowed for candidates to  
25 withdraw, there are no more than two candidates filed for the  
26 position, or in a primary for a single-winner general election  
27 conducted using ranked choice voting as provided in section 2 of this  
28 act, there are no more than five candidates filed for the position.  
29 The county auditor shall as soon as possible notify all the  
30 candidates so affected that the office for which they filed will not  
31 appear on the primary ballot.

32 (2) No primary may be held for an office in a county, city, town,  
33 or district that is conducting a multiwinner general election using  
34 ranked choice voting as provided in section 2 of this act.

35 (3) No primary may be held for the office of commissioner of a  
36 park and recreation district or for the office of cemetery district  
37 commissioner.

1        ~~((3))~~ (4) Names of candidates for offices that do not appear on  
2 the primary ballot shall be printed upon the general election ballot  
3 in the manner specified by RCW 29A.36.131.

4        **Sec. 8.** RCW 29A.24.010 and 2003 c 111 s 601 are each amended to  
5 read as follows:

6        (1) Not less than thirty days before the first day for filing  
7 declarations of candidacy under RCW 29A.24.050 for legislative,  
8 judicial, county, city, town, or district office, where more than one  
9 position with the same name, district number, or title will be voted  
10 upon at the succeeding election, the filing officer shall designate  
11 the positions to be filled by number, except as provided in  
12 subsection (3) of this section.

13        (2) The positions so designated shall be dealt with as separate  
14 offices for all election purposes. With the exception of the office  
15 of justice of the supreme court, the position numbers shall be  
16 assigned, whenever possible, to reflect the position numbers that  
17 were used to designate the same positions at the last full-term  
18 election for those offices.

19        (3) In an election conducted using ranked choice voting as  
20 provided in section 2 of this act in which there is more than one  
21 position with the same name, district number, or title, the county,  
22 city, town, or district shall choose whether the filing officer will  
23 designate the positions to be filled by number and deal with  
24 positions as separate offices.

25        **Sec. 9.** RCW 36.32.040 and 2018 c 113 s 205 are each amended to  
26 read as follows:

27        (1) Except as provided in subsections (2) and (3) of this  
28 section, the qualified electors of each county commissioner district,  
29 and they only, shall nominate from among their own number, candidates  
30 for the office of county commissioner of such commissioner district  
31 to be voted for at the following general election. Such candidates  
32 shall be nominated in the same manner as candidates for other county  
33 and district offices are nominated in all other respects.

34        (2) Except as provided in subsection (3) of this section, where  
35 the commissioners of a county composed entirely of islands with a  
36 population of less than thirty-five thousand have chosen to divide  
37 the county into unequal-sized commissioner districts pursuant to the  
38 exception provided in RCW 36.32.020, the qualified electors of the



1 entire county shall nominate from among their own number who reside  
2 within a commissioner district, candidates for the office of county  
3 commissioner of such commissioner district to be voted for at the  
4 following general election. Such candidates shall be nominated in the  
5 same manner as candidates for other county offices are nominated in  
6 all other respects.

7 (3) A county may conduct an election for county commissioners  
8 using ranked choice voting as defined in section 2 of this act.

9 (4) The commissioners of any county may authorize a change to  
10 their electoral system pursuant to RCW 29A.92.040.

11 **Sec. 10.** RCW 36.32.050 and 2018 c 301 s 7 are each amended to  
12 read as follows:

13 (1) Except as provided otherwise in subsection (2) of this  
14 section or this chapter, county commissioners shall be elected by the  
15 qualified voters of the county and the person receiving the highest  
16 number of votes for the office of commissioner for the district in  
17 which he or she resides shall be declared duly elected from that  
18 district.

19 (2) Beginning in 2022, in any noncharter county with a population  
20 of four hundred thousand or more, county commissioners must be  
21 nominated and elected by the qualified electors of the commissioner  
22 district in which he or she resides. The person receiving the highest  
23 number of votes at a general election for the office of commissioner  
24 for the district in which he or she resides must be declared duly  
25 elected from that district.

26 (3) A county may conduct an election for county commissioners  
27 using ranked choice voting as provided in section 2 of this act.

28 (a) A county that deals with commissioner positions as separate  
29 offices and adopts ranked choice voting using the instant runoff  
30 voting method as provided in section 2 of this act shall hold a  
31 primary to winnow the list of candidates in the district to five. If  
32 no more than five candidates have filed for a position after the last  
33 day allowed for candidates to withdraw, the county may not hold a  
34 primary for that position.

35 (b) A county that chooses not to deal with commissioner positions  
36 as separate offices and instead adopts ranked choice voting in a  
37 multiwinner contest using the single transferable vote method as  
38 provided in section 2 of this act may not hold a primary for those  
39 positions.

1       **Sec. 11.** RCW 35A.12.040 and 2015 c 53 s 52 are each amended to  
2 read as follows:

3       (1) Officers shall be elected at biennial municipal elections to  
4 be conducted as provided in chapter 35A.29 RCW. The mayor and the  
5 councilmembers shall be elected for four-year terms of office and  
6 until their successors are elected and qualified and assume office in  
7 accordance with RCW 29A.60.280. At any first election upon  
8 reorganization, councilmembers shall be elected as provided in RCW  
9 35A.02.050. Thereafter the requisite number of councilmembers shall  
10 be elected biennially as the terms of their predecessors expire and  
11 shall serve for terms of four years. Except as provided in subsection  
12 (2) of this section, the positions to be filled on the city council  
13 shall be designated by consecutive numbers and shall be dealt with as  
14 separate offices for all election purposes. Election to positions on  
15 the council shall be by majority vote from the city at large, unless  
16 provision is made by charter or ordinance for election by wards. The  
17 mayor and councilmembers shall qualify by taking an oath or  
18 affirmation of office and as may be provided by law, charter, or  
19 ordinance.

20       (2) If a city or town uses ranked choice voting as provided in  
21 section 2 of this act, the city or town shall choose whether the  
22 council positions to be filled will be designated by number and dealt  
23 with as separate offices.

24       **Sec. 12.** RCW 28A.343.320 and 2015 c 53 s 11 are each amended to  
25 read as follows:

26       (1) Candidates for the position of school director shall file  
27 their declarations of candidacy as provided in Title 29A RCW.

28       (2) Except as provided in subsection (3) of this section, the  
29 positions of school directors in each district shall be dealt with as  
30 separate offices for all election purposes, and where more than one  
31 position is to be filled, each candidate shall file for one of the  
32 positions so designated: PROVIDED, That in school districts  
33 containing director districts, or a combination of director districts  
34 and director at large positions, candidates shall file for such  
35 director districts or at large positions. Position numbers shall be  
36 assigned to correspond to director district numbers to the extent  
37 possible.

38       (3) If the school board uses ranked choice voting as provided in  
39 section 2 of this act, the school board shall choose whether to deal

1 with the positions of school directors as separate offices for  
2 elections purposes.

3 NEW SECTION. **Sec. 13.** A new section is added to chapter 52.14  
4 RCW to read as follows:

5 A board of fire commissioners may conduct an election for fire  
6 commissioner using ranked choice voting as provided in section 2 of  
7 this act.

8 NEW SECTION. **Sec. 14.** A new section is added to chapter 53.12  
9 RCW to read as follows:

10 A port commission may conduct an election for port commissioner  
11 using ranked choice voting as provided in section 2 of this act.

12 NEW SECTION. **Sec. 15.** (1) A ranked choice voting work group is  
13 created.

14 (2) The work group shall consist of:

15 (a) A member from the association of Washington cities, chosen by  
16 the association;

17 (b) A member from the Washington state association of county  
18 auditors, chosen by the association; and

19 (c) A member from an organization with expertise in ranked choice  
20 voting. The governor shall solicit applications and choose the  
21 organization for the work group. The organization shall choose its  
22 member for the work group.

23 (3) The work group shall advise and aid the secretary of state in  
24 drafting rules to implement this act, as provided in section 2 of  
25 this act.

26 (4) The work group shall advise and aid the secretary of state in  
27 developing implementation and support materials for local governments  
28 that choose to enact ranked choice voting as provided in section 2 of  
29 this act. These materials must be informed by known best practices  
30 for ranked choice voting, such as best practices for ballot design,  
31 voter education, and election results reporting. Examples of support  
32 materials that may be developed by the work group include: Sample  
33 ballots; formats and timelines for reporting election results; and  
34 poll worker trainings. When developing such materials, the work group  
35 may consult similar materials developed by other jurisdictions that  
36 have previously implemented ranked choice voting.

1 (5) The work group shall also develop voter education materials  
2 for local governments that choose to enact ranked choice voting as  
3 provided in section 2 of this act. Examples of support materials that  
4 may be developed by the work group include: Voter education  
5 materials, such as flyers, brochures, video explainers, and graphics;  
6 candidate trainings; media trainings; and poll worker trainings.  
7 These materials must be developed by May 1, 2025.

8 (6) In carrying out its duties under subsection (5) of this  
9 section, the work group must consult with and provide meaningful  
10 opportunity for input from academics and other scholars of elections,  
11 the association of Washington cities, the Washington state  
12 association of counties, voting rights and election reform  
13 organizations, organizations representing traditionally  
14 underrepresented communities in Washington, tribes, and community  
15 stakeholders.

16 (7) The work group must provide a report to the appropriate  
17 committees of the legislature by June 1, 2025, detailing its  
18 activities and recommendations.

19 (8) This section expires December 1, 2025.

20 **Sec. 16.** RCW 29A.04.410 and 2020 c 337 s 1 are each amended to  
21 read as follows:

22 (1) Every county, city, town, and district, and the state is  
23 liable for its proportionate share of the costs when such elections  
24 are held in conjunction with other elections held under RCW  
25 29A.04.321 and 29A.04.330, except as provided in subsection (2) of  
26 this section.

27 (2) The costs of implementing a ranked choice voting election, as  
28 provided in section 2 of this act, borne by a county must be  
29 apportioned under this section to the jurisdiction using ranked  
30 choice voting. Implementation costs that must be apportioned under  
31 this subsection include the costs associated with:

32 (a) Obtaining, upgrading, or developing any tabulation system  
33 components necessary for ranked choice voting, including hardware and  
34 software;

35 (b) The use or maintenance of any tabulation system components  
36 necessary for ranked choice voting; and

37 (c) Voter education and outreach associated with ranked choice  
38 voting.

1       (3) Whenever any county, city, town, or district, or the state  
2 holds any primary or election, general or special, on an isolated  
3 date, all costs of such elections must be borne by the county, city,  
4 town, or district concerned, or the state as appropriate.

5       (4) The purpose of this section is to clearly establish that the  
6 county is not responsible for any costs involved in the holding of  
7 any city, town, district, state, or federal election.

8       (5) In recovering such election expenses, including a reasonable  
9 proration of administrative costs, the county auditor shall certify  
10 the cost to the county treasurer with a copy to the clerk or auditor  
11 of the city, town, or district concerned, or the secretary of state  
12 as appropriate. Upon receipt of such certification relating to a  
13 city, town, or district, the county treasurer shall make the transfer  
14 from any available and appropriate city, town, or district funds to  
15 the county current expense fund or to the county election reserve  
16 fund if such a fund is established. Each city, town, or district must  
17 be promptly notified by the county treasurer whenever such transfer  
18 has been completed. However, in those districts wherein a treasurer,  
19 other than the county treasurer, has been appointed such transfer  
20 procedure does not apply, but the district shall promptly issue its  
21 warrant for payment of election costs. State and federal offices are  
22 to be considered one entity for purposes of election cost proration  
23 and reimbursement.

24       **Sec. 17.** RCW 29A.12.080 and 2013 c 11 s 22 are each amended to  
25 read as follows:

26       No voting system or voting device shall be approved by the  
27 secretary of state unless it:

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

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

31       (3) Correctly registers all votes cast for any and all persons  
32 and for or against any and all measures;

33       (4) Provides that a vote for more than one candidate cannot be  
34 cast by one single operation of the voting device or vote tally  
35 system except when voting for president and vice president of the  
36 United States or in an election using ranked choice voting; and

37       (5) (~~Except for functions or capabilities unique to this state,~~  
38 ~~has~~) Has been tested and certified by an independent testing

1 authority designated by the United States election assistance  
2 commission, except:

3 (a) For functions or capabilities unique to this state; or

4 (b) For stand-alone components of voting systems that have been  
5 tested by an independent testing authority designated by the United  
6 States election assistance commission but that cannot be officially  
7 "certified" because the authority can certify only complete voting  
8 systems.

9 **Sec. 18.** RCW 29A.36.121 and 2013 c 11 s 42 are each amended to  
10 read as follows:

11 (1) The positions or offices on a primary consolidated ballot  
12 shall be arranged in substantially the following order: United States  
13 senator; United States representative; governor; lieutenant governor;  
14 secretary of state; state treasurer; state auditor; attorney general;  
15 commissioner of public lands; superintendent of public instruction;  
16 insurance commissioner; state senator; state representative; county  
17 officers; justices of the supreme court; judges of the court of  
18 appeals; judges of the superior court; and judges of the district  
19 court. (~~Føø~~) Except as provided in subsection (3) of this section,  
20 for all other jurisdictions on the primary ballot, the offices in  
21 each jurisdiction shall be grouped together and be in the order of  
22 the position numbers assigned to those offices, if any.

23 (2) The order of the positions or offices on a general election  
24 ballot shall be substantially the same as on a primary ballot except  
25 that state ballot issues must be placed before all offices. The  
26 offices of president and vice president of the United States shall  
27 precede all other offices on a presidential election ballot. The  
28 positions on a ballot to be assigned to ballot measures regarding  
29 local units of government shall be established by the secretary of  
30 state by rule.

31 (3) All offices that are elected using ranked choice voting as  
32 provided in section 2 of this act must be grouped together, appearing  
33 consecutively and in an order consistent with subsections (1) and (2)  
34 of this section. The county auditor may, in the auditor's discretion,  
35 place the grouping of offices elected using ranked choice voting at  
36 any place on the ballot, except that the grouping of offices may not  
37 be placed before any office that is required to come before it under  
38 subsections (1) and (2) of this section.

1        NEW SECTION.    **Sec. 19.**    RCW 29A.04.127 (Primary) and 2005 c 2 s 5  
2    & 2003 c 111 s 122 are each repealed.

--- END ---