

CERTIFICATION OF ENROLLMENT

SENATE BILL 5267

54th Legislature
1995 Regular Session

Passed by the Senate April 17, 1995
YEAS 43 NAYS 0

President of the Senate

Passed by the House April 6, 1995
YEAS 80 NAYS 17

**Speaker of the
House of Representatives**

Approved

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5267** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 5267

AS AMENDED BY THE HOUSE

Passed Legislature - 1995 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By Senators Sheldon, Haugen and Wood

Read first time 01/17/95. Referred to Committee on Government
Operations.

1 AN ACT Relating to write-in candidates; amending RCW 29.04.180 and
2 29.51.170; and recodifying RCW 29.51.170.

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

4 **Sec. 1.** RCW 29.04.180 and 1990 c 59 s 100 are each amended to read
5 as follows:

6 Any person who desires to be a write-in candidate and have such
7 votes counted at a primary or election may, if the jurisdiction of the
8 office sought is entirely within one county, file a declaration of
9 candidacy with the county auditor not later than the day before the
10 primary or election. If the jurisdiction of the office sought
11 encompasses more than one county the declaration of candidacy shall be
12 filed with the secretary of state not later than the day before the
13 primary or election. Declarations of candidacy for write-in candidates
14 must be accompanied by a filing fee in the same manner as required of
15 other candidates filing for the office as provided in RCW 29.15.050.

16 Votes cast for write-in candidates who have filed such declarations
17 of candidacy and write-in votes for persons appointed by political
18 parties pursuant to RCW 29.18.160 need only specify the name of the
19 candidate in the appropriate location on the ballot in order to be

1 counted. Write-in votes cast for any other candidate, in order to be
2 counted, must designate the office sought and position number or
3 political party, if applicable.

4 No person may file as a write-in candidate where:

5 (1) At a general election, the person attempting to file either
6 filed as a write-in candidate for the same office at the preceding
7 primary or the person's name appeared on the ballot for the same office
8 at the preceding primary;

9 (2) The person attempting to file as a write-in candidate has
10 already filed a valid write-in declaration for that primary or
11 election, unless one or the other of the two filings is for the office
12 of precinct committeeperson;

13 (3) The name of the person attempting to file already appears on
14 the ballot as a candidate for another office, unless one of the two
15 offices for which he or she is a candidate is precinct committeeperson.

16 The declaration of candidacy shall be similar to that required by
17 RCW 29.15.010. No write-in candidate filing under RCW 29.04.180 may be
18 included in any voter's pamphlet produced under chapter 29.80 RCW
19 unless that candidate qualifies to have his or her name printed on the
20 general election ballot. The legislative authority of any jurisdiction
21 producing a local voter's pamphlet under chapter 29.81A RCW may
22 provide, by ordinance, for the inclusion of write-in candidates in such
23 pamphlets.

24 **Sec. 2.** RCW 29.51.170 and 1988 c 181 s 5 are each amended to read
25 as follows:

26 For any office at any election or primary, any voter may write in
27 on the ballot the name of any person for an office who has filed as a
28 write-in candidate for the office in the manner provided by RCW
29 29.04.180 and such vote shall be counted the same as if the name had
30 been printed on the ballot and marked by the voter. No write-in vote
31 made for any person who has not filed a declaration of candidacy
32 pursuant to RCW 29.04.180 is valid if that person filed for the same
33 office, either as a regular candidate or a write-in candidate, at the
34 preceding primary. Any abbreviation used to designate office,
35 position, or political party shall be accepted if the canvassing board
36 can determine, to their satisfaction, the voter's intent.

1 Write-in votes cast for an office need not be tallied if, assuming
2 all of these write-in votes were cast for the same person, the write-in
3 votes could not have altered the outcome of the primary or election.

4 NEW SECTION. **Sec. 3.** RCW 29.51.170 shall be recodified as a
5 section in chapter 29.62 RCW.

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