

SENATE BILL REPORT

SB 5783

As Reported By Senate Committee On:
State & Local Government, March 5, 2001

Title: An act relating to candidates for elected office.

Brief Description: Clarifying standards for candidates using party designations.

Sponsors: Senators Gardner and Hale; by request of Secretary of State.

Brief History:

Committee Activity: State & Local Government: 2/21/01, 3/5/01 [DP].

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Majority Report: Do pass.

Signed by Senators Patterson, Chair; Fairley, Vice Chair; Gardner, Hale, Haugen, Roach, T. Sheldon and Swecker.

Staff: Aaron Jennings (786-7445)

Background: Minor party partisan candidates may be nominated either by a convention held on or after the last Saturday in June but no later than the first Saturday in June, or as write-in candidates. A nomination petition must contain the name of the minor party or independent. The political party or independent status of each candidate for each political office shall be indicated on the ballot.

Summary of Bill: Minor party partisan candidates may be nominated in several ways. All minor party candidates may be nominated by a convention held on or after the last Saturday in June, but no later than the first Saturday in July. A presidential candidate may be nominated by a convention held on or after the first Sunday in July, but not later than 70 days before the general election. Further, candidates may be nominated as write-in candidates. Finally, if a special filing period for partisan office is opened, a candidate of a minor political party or independent candidate may file for the office during the filing period. The names of minor party candidates or independent candidates nominated during a special filing period do not appear on the ballot unless they are nominated by convention within five days after the filing period closes.

Presidential candidates must be included on the Secretary of State's certification of nominees. Political parties may change their candidate for Vice President up to 45 days before the general election.

If a candidate is nominated by two or more minor parties or independent conventions, or if a candidate filed a declaration of candidacy declaring an affiliation with a major political party and has been nominated by one or more minor parties or independent conventions, the candidate must file a notice within three days after the close of the filing period designating

the political party to be shown on the ballot with the candidate. If the candidate fails to file a declaration, the name of the political party on the first document filed is shown on the ballot.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill will help avoid litigation by defining how to determine a candidate's party affiliation.

Testimony Against: None.

Testified: PRO: Bill Huennekens, Office of Secretary of State.