

CERTIFICATION OF ENROLLMENT

SENATE BILL 6321

Chapter 140, Laws of 2002

57th Legislature
2002 Regular Session

ELECTIONS--DECLARATION OF CANDIDACY--ELECTRONIC FILING

EFFECTIVE DATE: 6/13/02

Passed by the Senate February 14, 2002
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 6, 2002
YEAS 93 NAYS 0

FRANK CHOPP

**Speaker of the
House of Representatives**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6321** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK

Secretary

Approved March 26, 2002

FILED

March 26, 2002 - 9:15 a.m.

GARY LOCKE

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 6321

Passed Legislature - 2002 Regular Session

State of Washington

57th Legislature

2002 Regular Session

By Senators Gardner, McCaslin, Roach, T. Sheldon, Keiser, McAuliffe, Hale and Oke; by request of Secretary of State

Read first time 01/15/2002. Referred to Committee on State & Local Government.

1 AN ACT Relating to electronically filing declarations of candidacy;
2 amending RCW 29.15.010 and 29.15.030; adding new sections to chapter
3 29.15 RCW; and creating new sections.

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

5 **Sec. 1.** RCW 29.15.010 and 1990 c 59 s 82 are each amended to read
6 as follows:

7 A candidate who desires to have his or her name printed on the
8 ballot for election to an office other than president of the United
9 States, vice president of the United States, or an office for which
10 ownership of property is a prerequisite to voting shall complete and
11 file a declaration and affidavit of candidacy. The secretary of state
12 shall adopt, by rule, a declaration of candidacy form for the office of
13 precinct committee officer and a separate standard form for candidates
14 for all other offices filing under this chapter. Included on the
15 standard form shall be:

16 (1) A place for the candidate to declare that he or she is a
17 registered voter within the jurisdiction of the office for which he or
18 she is filing, and the address at which he or she is registered;

1 (2) A place for the candidate to indicate the position for which he
2 or she is filing;

3 (3) A place for the candidate to indicate a party designation, if
4 applicable;

5 (4) A place for the candidate to indicate the amount of the filing
6 fee accompanying the declaration of candidacy or for the candidate to
7 indicate that he or she is filing a nominating petition in lieu of the
8 filing fee under RCW 29.15.050;

9 (5) A place for the candidate to sign the declaration of candidacy,
10 stating that the information provided on the form is true and swearing
11 or affirming that he or she will support the Constitution and laws of
12 the United States and the Constitution and laws of the state of
13 Washington.

14 In the case of a declaration of candidacy filed electronically,
15 submission of the form constitutes agreement that the information
16 provided with the filing is true, that he or she will support the
17 Constitutions and laws of the United States and the state of
18 Washington, and that he or she agrees to electronic payment of the
19 filing fee established in RCW 29.15.050.

20 The secretary of state may require any other information on the
21 form he or she deems appropriate to facilitate the filing process.

22 NEW SECTION. Sec. 2. A new section is added to chapter 29.15 RCW
23 to read as follows:

24 ELECTRONIC FILING. A candidate may file his or her declaration of
25 candidacy for an office by electronic means on a system specifically
26 designed and authorized by a filing officer to accept filings.

27 (1) Filings that are received electronically must capture all
28 information specified in RCW 29.15.010 (1) through (4).

29 (2) Electronic filing may begin at 9:00 a.m. the fourth Monday in
30 July and continue through 4:00 p.m. the following Friday.

31 (3) In case of special filing periods established in this chapter,
32 electronic filings may be accepted beginning at 9:00 a.m. on the first
33 day of the special filing period through 4:00 p.m. the last day of the
34 special filing period.

35 NEW SECTION. Sec. 3. A new section is added to chapter 29.15 RCW
36 to read as follows:

1 STANDARDS FOR ELECTRONIC FILING. The secretary of state as chief
2 election officer may adopt rules, in accordance with chapter 34.05 RCW,
3 to facilitate electronic filing and establish which jurisdictions are
4 eligible to accept electronic filing. The rules must detail the
5 circumstances under which the electronic filing of documents will be
6 permitted, how the documents will be filed, and how the secretary of
7 state will return filed documents. Such rules may also impose
8 additional requirements related to implementation of electronic filing
9 processes.

10 **Sec. 4.** RCW 29.15.030 and 1998 c 22 s 1 are each amended to read
11 as follows:

12 Declarations of candidacy shall be filed with the following filing
13 officers:

14 (1) The secretary of state for declarations of candidacy for
15 statewide offices, United States senate, and United States house of
16 representatives;

17 (2) The secretary of state for declarations of candidacy for the
18 state legislature, the court of appeals, and the superior court when
19 voters from a district comprising more than one county vote upon the
20 candidates;

21 (3) The county auditor for all other offices. For any nonpartisan
22 office, other than judicial offices and school director in joint
23 districts, where voters from a district comprising more than one county
24 vote upon the candidates, a declaration of candidacy shall be filed
25 with the county auditor of the county in which a majority of the
26 registered voters of the district reside. For school directors in
27 joint school districts, the declaration of candidacy shall be filed
28 with the county auditor of the county designated by the state board of
29 education as the county to which the joint school district is
30 considered as belonging under RCW (~~(28A.315.380)~~) 28A.323.040.

31 Each official with whom declarations of candidacy are filed under
32 this section, within one business day following the closing of the
33 applicable filing period, shall (~~forward~~) transmit to the public
34 disclosure commission (~~(a copy of)~~) the information required in RCW
35 29.15.010 (1) through (4) for each declaration of candidacy filed in
36 his or her office during such filing period or a list containing the
37 name of each candidate who files such a declaration in his office
38 during such filing period together with a precise identification of the

1 position sought by each such candidate and the date on which each such
2 declaration was filed. Such official, within three days following his
3 receipt of any letter withdrawing a person's name as a candidate, shall
4 also forward a copy of such withdrawal letter to the public disclosure
5 commission.

6 NEW SECTION. **Sec. 5.** The secretary of state may take the
7 necessary steps to ensure that this act is implemented on its effective
8 date.

9 NEW SECTION. **Sec. 6.** Section captions used in this act are not
10 part of the law.

Passed the Senate February 14, 2002.

Passed the House March 6, 2002.

Approved by the Governor March 26, 2002.

Filed in Office of Secretary of State March 26, 2002.