
SENATE BILL 5978

State of Washington

64th Legislature

2015 Regular Session

By Senators Roach, Llias, and Fain; by request of Secretary of State

Read first time 02/13/15. Referred to Committee on Government Operations & Security.

1 AN ACT Relating to the presidential primary; and amending RCW
2 29A.56.010, 29A.56.020, 29A.56.030, and 29A.56.050.

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

4 **Sec. 1.** RCW 29A.56.010 and 2003 c 111 s 1401 are each amended to
5 read as follows:

6 The people of the state of Washington declare that:

7 (1) The current presidential nominating caucus system in
8 Washington state is unnecessarily restrictive of voter participation
9 in that it discriminates against (~~the elderly, the infirm, women,~~
10 ~~the~~) persons who are disabled, evening workers, persons who are
11 retired, members of the armed services, and others who are unable to
12 attend caucuses and therefore unable to fully participate in this
13 most important quadrennial event that occurs in our democratic system
14 of government.

15 (2) It is the intent of this chapter to make the presidential
16 selection process more open and representative of the will of the
17 people of our state.

18 (3) A presidential primary will afford the maximum opportunity
19 for voter access at regular polling places during the daytime and
20 evening hours convenient to the most people.

1 (4) This state's participation in the selection of presidential
2 candidates shall be in accordance with the will of the people as
3 expressed in a presidential (~~(preference)~~) primary.

4 (5) It is the intent of this chapter, to the maximum extent
5 practicable, to continue to reserve to the political parties the
6 right to conduct their delegate selection as prescribed by party
7 rules insofar as it reflects the will of the people as expressed in a
8 presidential primary election conducted every four years in the
9 manner described by this chapter.

10 **Sec. 2.** RCW 29A.56.020 and 2003 c 111 s 1402 are each amended to
11 read as follows:

12 (1) On the (~~(fourth)~~) second Tuesday in (~~(May)~~) March of each
13 year in which a president of the United States is to be nominated and
14 elected, a presidential primary shall be held at which voters may
15 vote for the nominee of a major political party for the office of
16 president. The secretary of state may propose an alternative date for
17 the primary no later than the first day of (~~(August)~~) June of the
18 year before the year in which a president is to be nominated and
19 elected.

20 (2) No later than the (~~(first)~~) fifteenth day of (~~(September)~~)
21 June of the year before the year in which a presidential nominee is
22 selected, the state committee of any major political party that will
23 use the primary results for candidates of that party may propose an
24 alternative date for that primary.

25 (3) If an alternative date is proposed under subsection (1) or
26 (2) of this section, a committee consisting of the chair and the vice
27 chair of the state committee of each major political party, the
28 secretary of state, the majority leader and minority leader of the
29 senate, and the speaker and the minority leader of the house of
30 representatives shall meet and, if affirmed by a two-thirds vote of
31 the members of the committee, the date of the primary shall be
32 changed. The committee shall meet and decide on the proposed
33 alternate date not later than the (~~(first)~~) thirtieth day of
34 (~~(October)~~) June of the year before the year in which a presidential
35 nominee is selected. The secretary of state shall convene and preside
36 over the meeting of the committee. A committee member other than a
37 legislator may appoint, in writing, a designee to serve on his or her
38 behalf. A legislator who is a member of the committee may appoint, in
39 writing, another legislator to serve on his or her behalf.

1 (4) If an alternate date is approved under this section, the
2 secretary of state shall adopt rules under RCW 29A.04.620 to adjust
3 the deadlines in RCW 29A.56.030 and related provisions of this
4 chapter to correspond with the date that has been approved.

5 **Sec. 3.** RCW 29A.56.030 and 2011 c 349 s 19 are each amended to
6 read as follows:

7 The name of any candidate for a major political party nomination
8 for president of the United States shall be printed on the
9 presidential (~~(preference)~~) primary ballot of a major political party
10 only:

11 (1) By direction of the secretary of state, who in the
12 secretary's sole discretion has determined that the candidate's
13 candidacy is generally advocated or is recognized in national news
14 media; or

15 (2) If members of the political party of the candidate have
16 presented a petition for nomination of the candidate that has
17 attached to the petition a sheet or sheets containing the signatures
18 of at least one thousand registered voters who declare themselves in
19 the petition as being affiliated with the same political party as the
20 presidential candidate. The petition shall be filed with the
21 secretary of state not later than (~~(seventy-five)~~) one hundred four
22 days before the presidential (~~(preference)~~) primary. The signature
23 sheets shall also contain the residence address and name or number of
24 the precinct of each registered voter whose signature appears thereon
25 and shall be certified in the manner prescribed in RCW 29A.72.230 and
26 29A.72.240.

27 The secretary of state shall place the name of the candidate on
28 the ballot unless the candidate, at least (~~(sixty-seven)~~) ninety-
29 seven days before the presidential (~~(preference)~~) primary, executes
30 and files with the secretary of state an affidavit stating without
31 qualification that he or she is not now and will not become a
32 candidate for the office of president of the United States at the
33 forthcoming presidential election. The secretary of state shall
34 certify the names of all candidates who will appear on the
35 presidential (~~(preference)~~) primary ballot to the respective county
36 auditors (~~(on or before the fourth Tuesday in April of each~~
37 ~~presidential election year))~~ at least ninety days before the
38 presidential primary.

1 **Sec. 4.** RCW 29A.56.050 and 2003 c 111 s 1405 are each amended to
2 read as follows:

3 (1) A major political party may, under national or state party
4 rules, base the allocation of delegates from this state to the
5 national nominating convention of that party in whole or in part on
6 the participation in precinct caucuses and conventions conducted
7 under the rules of that party.

8 (2) If by the first Tuesday in October of the year before the
9 year in which a presidential nominee is selected, both of the major
10 political parties provide documentation of state and national party
11 rules to the secretary of state that the results of the presidential
12 primary will be used in allocation of delegates, and if requested by
13 a major political party, the secretary of state shall adopt rules
14 under RCW 29A.04.620 to provide for any declaration required by that
15 party. In the absence of such party documentation, the presidential
16 primary ballot must use a single ballot list and no party declaration
17 or oath is required of the voter or recorded by election officers.

18 (3) Pursuant to subsection (2) of this section, voters who
19 subscribe to a specific political party declaration under this
20 section must be given ballots that are readily distinguishable from
21 those given to other voters. Votes cast by persons making these
22 declarations must be tabulated and reported separately from other
23 votes cast at the primary and may be used by a major political party
24 in its allocation of delegates under the rules of that party.

25 (4) For a political party that provides documentation pursuant to
26 subsection (2) of this section and requires a specific voter
27 declaration under this section, the secretary of state shall
28 prescribe rules for providing, to the state and county committees of
29 that political party, a copy of the declarations or a list of the
30 voters who participated in the presidential nominating process of
31 that party.

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