Chapter 434-230 WAC
BALLOTS
(Formerly chapter 434-30 WAC)

WAC

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434-230-020 Placement of state ballot measures. [Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-230-020, filed 10/13/97, effective 11/13/97. Statutory Authority: RCW 29.04.080 and 29.04.210. WSR 92-10-038, § 434-30-020, filed 5/4/92, effective 6/4/92.] Repealed by WSR 08-15-052, filed 7/11/08, effective 8/11/08. Statutory Authority: RCW 29A.04.611.

434-230-040 Candidate's political party designation—Primary to general. [Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-230-040, filed 10/13/97, effective 11/13/97. Statutory Authority: RCW 29.04.080 and 29.04.210. WSR 92-10-038, § 434-30-040, filed 5/4/92, effective 6/4/92.] Repealed by WSR 08-15-052, filed 7/11/08, effective 8/11/08. Statutory Authority: RCW 29A.04.611.

434-230-047 Nonpartisan county office. [Statutory Authority: RCW 29A.04.611, 29A.04.255. WSR 11-05-008, § 434-230-047, filed 2/3/11, effective 3/6/11.] Repealed by WSR 14-06-040, filed 2/26/14, effective 3/29/14. Statutory Authority: RCW 29A.04.611.

434-230-050 Candidate nominated by two or more political parties or for two or more offices. [Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-230-050, filed 10/13/97, effective 11/13/97. Statutory Authority: RCW 29.04.080 and 29.04.210. WSR 92-10-038, § 434-30-050, filed 5/4/92, effective 6/4/92.] Repealed by WSR 08-15-052, filed 7/11/08, effective 8/11/08. Statutory Authority: RCW 29A.04.611.

434-230-060 Primary votes required for appearance on general election ballot. [Statutory Authority: RCW 29A.04.611. WSR 08-15-052, § 434-230-060, filed 7/11/08, effective 8/11/08; WSR 07-24-044, § 434-230-060, filed 11/30/07, effective 12/31/07; WSR 06-14-049, § 434-230-060, filed 6/28/06, effective 7/29/06. Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-230-060, filed 10/13/97, effective 11/13/97. Statutory Authority: RCW 29.04.080 and 29.04.210. WSR 92-10-038, § 434-30-060, filed 5/4/92, effective 6/4/92.] Repealed by WSR 11-24-064, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630.

434-230-070 Method for billing expense for printing and distributing ballot materials. [Statutory Authority: RCW 29A.04.610. WSR 04-15-089, § 434-230-070, filed 7/16/04, effective 8/16/04. Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-230-070, filed 10/13/97, effective 11/13/97. Statutory Authority: RCW 29.04.080 and 29.04.210. WSR 92-10-038, § 434-30-070, filed 5/4/92, effective 6/4/92.] Repealed by WSR 11-24-064, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630.

434-230-080 Judicial ballots—Form. [Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-230-080, filed 10/13/97, effective 11/13/97. Statutory Authority: RCW 29.04.080 and 29.04.210. WSR 92-10-038, § 434-30-080, filed 5/4/92, effective 6/4/92.] Repealed by WSR 08-15-052, filed 7/11/08, effective 8/11/08. Statutory Authority: RCW 29A.04.611.

434-230-085 Candidate who qualifies for more than one office. [Statutory Authority: RCW 29A.04.611. WSR 08-15-052, § 434-230-085, filed 7/11/08, effective 8/11/08.] Repealed by WSR 19-01-102, filed 12/18/18, effective 1/18/19. Statutory Authority: RCW 29A.04.611, 29A.24.091, 29A.24.311, 29A.60.021, 29A.60.185, 29A.60.170, 29A.60.110, and 29A.60.235.

434-230-095 When a candidate dies or is disqualified. [Statutory Authority: RCW 29A.04.611. WSR 08-15-052, § 434-230-095, filed 7/11/08, effective 8/11/08.] Repealed by WSR 14-06-040, filed 2/26/14, effective 3/29/14. Statutory Authority: RCW 29A.04.611.

434-230-120 Ranked choice voting. [Statutory Authority: RCW 29A.04.611. WSR 08-15-052, § 434-230-120, filed 7/11/08, effective 8/11/08.] Repealed by WSR 10-14-091, filed 7/6/10, effective 8/6/10. Statutory Authority: RCW 29A.04.611, 29A.08.420, 29A.24.131, 29A.40.110, 29A.46.020, and 29A.80.041.

434-230-140 Definitions. [Statutory Authority: RCW 29.04.210, 29.36.150. WSR 02-07-029, § 434-230-140, filed 3/12/02, effective 4/12/02.] Repealed by WSR 06-11-042, filed 5/10/06, effective 6/10/06. Statutory Authority: RCW 29A.04.611.

434-230-150 Ballot uniformity. [Statutory Authority: RCW 29A.04.611. WSR 06-14-049, § 434-230-150, filed 6/28/06, effective 7/29/06. Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 98-03-033, recodified as § 434-230-150, filed 1/13/98, effective 2/13/98. Statutory Authority: RCW 29.04.080 and 29.04.210. WSR 92-10-038, § 434-30-150, filed 5/4/92, effective 6/4/92.] Repealed by WSR 08-15-052, filed 7/11/08, effective 8/11/08. Statutory Authority: RCW 29A.04.611.

434-230-160 Poll-site voting instructions. [Statutory Authority: RCW 29A.04.611. WSR 07-24-044, § 434-230-160, filed 11/30/07, effective 12/31/07; WSR 06-14-049, § 434-230-160, filed 6/28/06, effective 7/29/06. Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 98-03-033, § 434-230-160, filed 1/13/98, effective 2/13/98; WSR 97-21-045, recodified as § 434-230-160, filed 10/13/97, effective 11/13/97. Statutory Authority: RCW 29.04.080 and 29.04.210. WSR 92-10-038, § 434-30-160, filed 5/4/92, effective 6/4/92.] Repealed by WSR 08-15-052, filed 7/11/08, effective 8/11/08. Statutory Authority: RCW 29A.04.611.

434-230-170 Ballot form. [Statutory Authority: RCW 29A.04.611. WSR 07-20-074, § 434-230-170, filed 10/1/07, effective 11/1/07; WSR 07-09-036, § 434-230-170, filed 4/11/07, effective 5/12/07; WSR 06-14-049, § 434-230-170, filed 6/28/06, effective 7/29/06. Statutory Authority: RCW 29A.04.610. WSR 04-15-089, § 434-230-170, filed 7/16/04, effective 8/16/04. Statutory Authority: RCW 29.04.210 and 29.30.020. WSR 00-11-042, § 434-230-170, filed 5/11/00, effective 6/11/00. Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-230-170, filed 10/13/97, effective 11/13/97. Statutory Authority: RCW 29.04.080 and 29.04.210. WSR 92-10-038, § 434-30-170, filed 5/4/92, effective 6/4/92.]

Repealed by WSR 08-15-052, filed 7/11/08, effective 8/11/08. Statutory Authority: RCW 29A.04.611.

434-230-180 Paper ballots and ballot cards—Numbering. [Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-230-180, filed 10/13/97, effective 11/13/97. Statutory Authority: RCW 29.04.080 and 29.04.210. WSR 92-10-038, § 434-30-180, filed 5/4/92, effective 6/4/92.] Repealed by WSR 07-09-036, filed 4/11/07, effective 5/12/07. Statutory Authority: RCW 29A.04.611.

434-230-190 Paper ballot uniformity. [Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-230-190, filed 10/13/97, effective 11/13/97. Statutory Authority: RCW 29.04.-080 and 29.04.210. WSR 92-10-038, § 434-30-190, filed 5/4/92, effective 6/4/92.] Repealed by WSR 08-15-052, filed 7/11/08, effective 8/11/08. Statutory Authority: RCW 29A.04.611.

434-230-200 Paper ballot instructions. [Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-230-200, filed 10/13/97, effective 11/13/97. Statutory Authority: RCW 29.04.-080 and 29.04.210. WSR 92-10-038, § 434-30-200, filed 5/4/92, effective 6/4/92.] Repealed by WSR 08-15-052, filed 7/11/08, effective 8/11/08. Statutory Authority: RCW 29A.04.611.

434-230-210 Paper ballots—Ballot form. [Statutory Authority: RCW 29A.04.610. WSR 04-15-089, § 434-230-210, filed 7/16/04, effective 8/16/04. Statutory Authority: RCW 29.04.210 and 29.30.020. WSR 00-11-042, § 434-230-210, filed 5/11/00, effective 6/11/00. Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-230-210, filed 10/13/97, effective 11/13/97. Statutory Authority: RCW 29.04.080 and 29.04.210. WSR 92-10-038, § 434-30-210, filed 5/4/92, effective 6/4/92.] Repealed by WSR 08-15-052, filed 7/11/08, effective 8/11/08. Statutory Authority: RCW 29A.04.611.

434-230-220 Same party designations used for primary and general elections. [Statutory Authority: RCW 29A.04.610. WSR 04-15-089, § 434-230-220, filed 7/16/04, effective 8/16/04. Statutory Authority: RCW 29.04.210 and 29.30.020. WSR 00-11-042, § 434-230-220, filed 5/11/00, effective 6/11/00.] Repealed by WSR 08-15-052, filed 7/11/08, effective 8/11/08. Statutory Authority: RCW 29A.04.611.

WAC 434-230-010 Sample ballots. Sample ballots shall be available at least fifteen days prior to an election. A printed copy must be made available through the office of the county auditor. A sample ballot may be published on the county auditor's web site. Sample paper ballots shall be printed in substantially the same form as official ballots. Sample ballots shall be printed in a manner that makes them easily distinguishable from the official ballot.

At any primary or election when a local voters' pamphlet is published which contains a full sample ballot, a separate sample ballot need not be produced.

Counties with populations of over five hundred thousand may produce more than one sample ballot for a primary or election, each of which lists a portion of the offices and issues to be voted on at that election. Sample ballots may be printed by region or area (e.g., legislative district, municipal, or other district boundary) of the county, provided that all offices and issues to be voted upon at the election appear on at least one of the various sample ballots. Each regional sample ballot shall contain all offices and issues to be voted upon within that region. A given office or issue may appear on more than one sample ballot, provided it is to be voted upon within that region. Sample ballots shall be made available and distributed to each voting center.

[Statutory Authority: RCW 29A.04.611. WSR 09-12-078, § 434-230-010, filed 5/29/09, effective 6/29/09; WSR 08-15-052, § 434-230-010, filed 7/11/08, effective 8/11/08; WSR 06-14-049, § 434-230-010, filed 6/28/06, effective 7/29/06. Statutory Authority: RCW 29A.04.610. WSR 04-15-089, § 434-230-010, filed 7/16/04, effective 8/16/04. Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-230-010, filed 10/13/97, effective 11/13/97. Statutory Authority: RCW 29.04.080 and 29.04.210. WSR 92-10-038, § 434-30-010, filed 5/4/92, effective 6/4/92.]

WAC 434-230-012 Ballot design. (1) The ballot must have a clear delineation between the ballot instructions and the first ballot measure or office through the use of white space, illustration, shading, color, symbol, font size, or bold type.

(2) The following standards for ballot design and layout are provided pursuant to RCW 29A.36.161:

(a) If space allows, allow the instructions to occupy their own column;

(b) Avoid the use of ALL CAPITAL LETTERS. Mixed-case letters are more legible than ALL CAPITAL LETTERS;

(c) Avoid centered type. Left-aligned type is more legible than centered type;

(d) Avoid using more than one font. Using multiple fonts requires the eye to stop reading and adjust. Use one font, preferably a sans-serif font such as Arial, Univers, or Verdana;

(e) Use color and shading consistently, such as to differentiate instructions from ballot section dividers and contest information;

(f) If space allows, use a 12-point type size. Do not use a type size lower than 8-point; and

(g) Maintain consistent font and type size throughout the ballot. For example, do not adjust type size for one race. Type size should be adjusted throughout all comparable areas of the ballot or, at a minimum, by page.

(3) The secretary of state shall publish and distribute an illustrated version of best practices for ballot design and layout.

[Statutory Authority: RCW 29A.04.611, 29A.04.255. WSR 11-05-008, § 434-230-012, filed 2/3/11, effective 3/6/11.]

WAC 434-230-015 Ballots and instructions. (1) Each ballot shall specify the county, the date, and whether the election is a primary, special or general.

(2) Each ballot must include instructions directing the voter how to mark the ballot, including write-in votes if candidate races appear on the ballot.

(3) Instructions that accompany a ballot must:

(a) Instruct the voter how to cancel a vote by drawing a line through the text of the candidate's name or ballot measure response;

(b) Notify the voter that, unless specifically allowed by law, more than one vote for an office or ballot measure will be an overvote and no votes for that office or ballot measure will be counted;

(c) Explain how to complete and sign the ballot declaration. The following declaration must accompany the ballot:

"I do solemnly swear or affirm under penalty of perjury that I am:

A citizen of the United States;

A legal resident of the state of Washington;

At least 18 years old on election day;

Voting only once in this election;

Not under the authority of the Department of Corrections for a Washington felony conviction;

Not disqualified from voting due to a court order; and

Not voting in any other jurisdiction in the United States for this election.

It is illegal to forge a signature or cast another person's ballot. Attempting to vote when not qualified, attempting to vote more than once, or falsely signing this declaration is a felony punishable by a maximum imprisonment of five years, a maximum fine of $10,000, or both."

The declaration must include space for the voter to sign and date the declaration, for the voter to write his or her phone number, and for two witnesses to sign if the voter is unable to sign.

(d) Explain how the voter may make a mark, witnessed by two other people, if the voter is unable to write their signature;

(e) Explain that a power of attorney cannot be used to sign a ballot for someone else;

(f) Explain how to place the ballot in the security envelope and place the security envelope in the return envelope;

(g) Explain how to obtain a replacement ballot if the original ballot is destroyed, spoiled, or lost;

(h) If applicable, explain that postage is required, or exactly how much postage is required. See WAC 434-250-200 on return postage;

(i) Explain that, in order for the ballot to be counted, it must be either postmarked no later than election day or deposited at a ballot drop box no later than 8:00 p.m. election day;

(j) Explain how to learn about the locations, hours, and services of voting centers and ballot drop boxes, including the availability of accessible voting equipment;

(k) Include, for a primary election that includes a partisan office other than a presidential primary race, a notice on an insert explaining:

"In each race, you may vote for any one candidate listed. The two candidates who receive the most votes in the primary will advance to the general election.

Each candidate for partisan office may state a political party that he or she prefers. A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate."

(l)(i) Include, for a general election that includes a partisan office, the following explanation:

"If a primary election was held for an office, the two candidates who received the most votes in the primary advanced to the general election.

Each candidate for partisan office may state a political party that he or she prefers. A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate."

(ii) In a year that president and vice president appear on the general election ballot, the following must be added to the statement required by (l)(i) of this subsection:

"The election for president and vice president is different. Candidates for president and vice president are the official nominees of their political party."

(4) Instructions that accompany a special absentee ballot authorized by RCW 29A.40.050 must also explain that the voter may request and subsequently vote a regular ballot, and that if the regular ballot is received by the county auditor, the regular ballot will be tabulated and the special absentee ballot will be voided.

(5) Each ballot must explain, either in the general instructions or in the heading of each race, the number of candidates for whom the voter may vote (e.g., "vote for one").

(6)(a) If the ballot includes a partisan office other than a presidential primary race, the ballot must include the following notice in bold print immediately above the first partisan congressional, state or county office: "READ: Each candidate for partisan office may state a political party that he or she prefers. A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate."

(b) When the race for president and vice president appears on a general election ballot, instead of the notice required by (a) of this subsection, the ballot must include the following notice in bold print after president and vice president but immediately above the first partisan congressional, state or county office: "READ: Each candidate for president and vice president is the official nominee of a political party. For other partisan offices, each candidate may state a political party that he or she prefers. A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate."

(c) The same notice may also be listed in the ballot instructions.

(7) Counties may use varying sizes and colors of ballots, provided such size and color is used consistently throughout a region, area or jurisdiction (e.g., legislative district, commissioner district, school district, etc.). Varying color and size may also be used to designate various types of ballots.

(8) Ballots shall be formatted as provided in RCW 29A.36.170.

(9) Removable stubs are not considered part of the ballot.

(10) If ballots are printed with sequential numbers or other sequential identifiers, the county auditor must take steps to prevent ballots from being issued sequentially, in order to protect secrecy of the ballot.

Counties may use ballot envelopes and instruction in stock until May 31, 2019.

[Statutory Authority: RCW 29A.04.611. WSR 18-24-007, § 434-230-015, filed 11/26/18, effective 12/27/18; WSR 18-10-003, § 434-230-015, filed 4/19/18, effective 5/20/18; WSR 17-12-090, § 434-230-015, filed 6/6/17, effective 7/7/17; WSR 15-24-001, § 434-230-015, filed 11/18/15, effective 12/19/15; WSR 14-06-040, § 434-230-015, filed 2/26/14, effective 3/29/14. Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. WSR 11-24-064, § 434-230-015, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611. WSR 09-18-098, § 434-230-015, filed 9/1/09, effective 10/2/09; WSR 08-15-052, § 434-230-015, filed 7/11/08, effective 8/11/08.]

WAC 434-230-025 Order of offices. Measures and offices must be listed in the following order, to the extent that they appear on a primary or election ballot:

(1) Initiatives to the people;

(2) Referendum measures;

(3) Referendum bills;

(4) Initiatives to the legislature and any alternate proposals;

(5) Advisory votes;

(6) Proposed constitutional amendments (senate joint resolutions, then house joint resolutions);

(7) Countywide ballot measures;

(8) President and vice president of the United States;

(9) United States senator;

(10) United States representative;

(11) Governor;

(12) Lieutenant governor;

(13) Secretary of state;

(14) State treasurer;

(15) State auditor;

(16) Attorney general;

(17) Commissioner of public lands;

(18) Superintendent of public instruction;

(19) Insurance commissioner;

(20) State senator;

(21) State representative;

(22) County officers;

(23) Justices of the supreme court;

(24) Judges of the court of appeals;

(25) Judges of the superior court; and

(26) Judges of the district court.

For all other jurisdictions, the offices in each jurisdiction shall be grouped together and listed by position number according to county auditor procedures.

[Statutory Authority: RCW 29A.04.611. WSR 17-12-090, § 434-230-025, filed 6/6/17, effective 7/7/17; WSR 14-06-040, § 434-230-025, filed 2/26/14, effective 3/29/14; WSR 08-15-052, § 434-230-025, filed 7/11/08, effective 8/11/08.]

WAC 434-230-030 Placement of ballot measures for local units of government. All county-wide ballot measures shall be listed immediately following state ballot measures. In the absence of state ballot measures, county-wide ballot measures shall appear first where state ballot measures would appear. For other local ballot measures and offices, each county shall establish written procedures to determine the order in which local units of government are to be listed on the ballot. Such order of local governmental units shall be substantially consistent on all ballots. The order may be determined by, but is not limited to the following: Size of jurisdictional area, alphabetical order by jurisdictional area, or such order as to provide for efficient use of ballot spacing and voting positions. Such procedures are to provide consistency from election to election within a county.

Except for county-wide ballot measures, local ballot measures and offices, if any, may be positioned in the area dedicated for that jurisdiction; or, local ballot measures may be grouped in a separate area dedicated to special measures only. This may be an area on the ballot separate from the candidates of such local government unit.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. WSR 11-24-064, § 434-230-030, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611. WSR 06-14-049, § 434-230-030, filed 6/28/06, effective 7/29/06. Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 98-03-033, § 434-230-030, filed 1/13/98, effective 2/13/98; WSR 97-21-045, recodified as § 434-230-030, filed 10/13/97, effective 11/13/97. Statutory Authority: RCW 29.04.080 and 29.04.210. WSR 92-10-038, § 434-30-030, filed 5/4/92, effective 6/4/92.]

WAC 434-230-035 Office format. (1) The name of each office must be printed on the ballot.

(2) The description "partisan office" must be printed either for each partisan office or as a heading above a group of partisan offices. The description "nonpartisan office" must be printed either for each office or as a heading above a group of nonpartisan offices.

(3) If the term of office is not a full term, a description of the term (e.g., short/full term, two-year unexpired term) must be printed with the office name.

(4) Following each list of candidates shall be a response position and a space for writing in the name of a candidate.

(5) Each office or position must be separated by a bold line.

(6) On a general election ballot in a year that president and vice president are elected, each political party's candidates for president and vice president shall be provided one vote response position for that party.

[Statutory Authority: RCW 29A.04.611. WSR 08-15-052, § 434-230-035, filed 7/11/08, effective 8/11/08.]

WAC 434-230-045 Candidate format. (1) For each office or position, the names of all candidates shall be listed together. If the office is on the primary election ballot, no candidates skip the primary and advance directly to the general election.

(2)(a) On the primary election ballot, candidates shall be listed in the order determined by lot.

(b) On the general election ballot, the candidate who received the highest number of votes in the primary shall be listed first, and the candidate who received the second highest number of votes in the primary shall be listed second. If the two candidates who received the most votes in the primary received exactly the same number of votes, the order in which their names are listed on the general election ballot shall be determined by lot.

(c) The political party that each candidate prefers is irrelevant to the order in which the candidates appear on the ballot.

(3) Candidate names shall be printed in a type style and point size that can be read easily. If a candidate's name exceeds the space provided, the election official shall take whatever steps necessary to place the name on the ballot in a manner which is readable. These steps may include, but are not limited to, printing a smaller point size or different type style.

(4) For partisan office:

(a) If the candidate stated his or her preference for a political party on the declaration of candidacy, that preference shall be printed below or to the right of the candidate's name, with parentheses and the first letter of each word or abbreviation capitalized. Acronyms shall be printed in all capital letters with or without periods. For example:

John Smith
(Prefers Example Party)
John Smith (Prefers ABC Party)

(b) If the candidate did not state his or her preference for a political party, that information shall be printed below or to the right of the candidate's name, with parentheses and the first letter of each word capitalized, as shown in the following example:

John Smith
(States No Party Preference)

(c) The party preference line for each candidate may be in smaller point size or indented.

(d) The same party preference information shall be printed on both primary and general election ballots.

(5) If the office is nonpartisan, only the candidate's name shall appear. Neither "nonpartisan" nor "NP" shall be printed with each candidate's name.

(6) The law does not allow nominations or endorsements by interest groups, political action committees, political parties, labor unions, editorial boards, or other private organizations to be printed on the ballot.

[Statutory Authority: RCW 29A.04.611, 29A.24.091, 29A.24.311, 29A.60.-021, 29A.60.185, 29A.60.170, 29A.60.110, and 29A.60.235. WSR 19-01-102, § 434-230-045, filed 12/18/18, effective 1/18/19. Statutory Authority: RCW 29A.04.611. WSR 17-12-090, § 434-230-045, filed 6/6/17, effective 7/7/17; WSR 14-06-040, § 434-230-045, filed 2/26/14, effective 3/29/14; WSR 08-15-052, § 434-230-045, filed 7/11/08, effective 8/11/08.]

WAC 434-230-055 Partisan primary. In a primary for partisan congressional, state or county office conducted pursuant to chapter 2, Laws of 2005 (Initiative 872):

(1) Voters are not required to affiliate with a political party in order to vote in the primary election. For each office, voters may vote for any candidate in the race.

(2) Candidates are not required to obtain the approval of a political party in order to file a declaration of candidacy and appear on the primary or general election ballot as a candidate for partisan office. Each candidate for partisan office may state a political party that he or she prefers. A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate. A candidate's political party preference is not used to determine which candidates advance to the general election.

(3) Based on the results of the primary, the two candidates for each office who receive the most votes and who receive at least one percent of the total votes cast for that office advance to the general election. The primary election does not serve to nominate any political party's candidates, but serves to winnow the number of candidates down to a final list of two for the general election. Voters in the primary are casting votes for candidates, not choosing a political party's nominees.

(4) Chapter 2, Laws of 2005 (Initiative 872) repealed the prior law governing party nominations. Political parties may nominate candidates by whatever mechanism they choose. The primary election plays no role in political party nominations, and political party nominations are not displayed on the ballot.

[Statutory Authority: RCW 29A.04.611. WSR 14-06-040, § 434-230-055, filed 2/26/14, effective 3/29/14; WSR 08-15-052, § 434-230-055, filed 7/11/08, effective 8/11/08.]

WAC 434-230-090 Determining nominees for multiple positions. If there are two or more places to be filled for a nonpartisan office, the number of candidates equaling the number of positions to be filled who receive the highest number of votes at the primary and an equal number who receive the next highest number of votes shall appear under the designation for that office.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. WSR 11-24-064, § 434-230-090, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-230-090, filed 10/13/97, effective 11/13/97. Statutory Authority: RCW 29.04.080 and 29.04.210. WSR 92-10-038, § 434-30-090, filed 5/4/92, effective 6/4/92.]

WAC 434-230-100 Political party precinct committee officer. (1) The election of major political party precinct committee officers is established in RCW 29A.52.171 and 29A.80.051.

(2) The election of precinct committee officer is an intraparty election; candidates compete against other candidates in the same political party.

(a) If only one candidate files for a position, that candidate is deemed elected without appearing on the ballot and the county auditor shall issue a certificate of election.

(b) If more than one candidate files for a position, the contested race must appear on the ballot at the primary and the candidate who receives the most votes is declared elected.

(c) If no candidates file during the regular filing period, the race does not appear on the ballot and the position may be filled by appointment pursuant to RCW 29A.28.071.

(d) No write-in line may be printed on the ballot for a contested race, and no write-in votes may be counted.

(3) If both major political parties have contested races on the ballot in the same precinct, the political party that received the highest number of votes from the electors of this state for the office of president at the last presidential election must appear first, with the other political party appearing second. Within each party, candidates shall be listed in the order determined by lot.

(4)(a) The position of political party precinct committee officer must appear following all measures and public offices.

(b) The following explanation must be printed before the list of candidates: "For this office only: In order to vote for precinct committee officer, a partisan office, you must affirm that you are a Democrat or a Republican and may vote only for one candidate from the party you select. Your vote for a candidate affirms your affiliation with the same party as the candidate. This preference is private and will not be matched to your name or shared."

(c)(i) If all candidates are listed under one heading, the applicable party abbreviation "Dem" or "Rep" must be printed next to each candidate's name, with the first letter of the abbreviation capitalized. For example:

John Smith Dem
Jane Doe Dem

(ii) If candidates are listed under a major political party heading, the applicable heading of either "democratic party

candidates" or "republican party candidates" must be printed above each group of candidates. The first letter of each word must be capitalized.

(d) One of the following statements, as applicable, must be printed directly below each candidate's name: "I affirm I am a Democrat." or "I affirm I am a Republican."

(5) A voter may vote for only one candidate, regardless of party, for precinct committee officer. If a voter votes for more than one candidate, the votes must be treated as overvotes.

[Statutory Authority: RCW 29A.04.611. WSR 14-06-040, § 434-230-100, filed 2/26/14, effective 3/29/14; WSR 12-14-074, § 434-230-100, filed 7/2/12, effective 8/2/12. Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. WSR 11-24-064, § 434-230-100, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611. WSR 08-15-052, § 434-230-100, filed 7/11/08, effective 8/11/08.]

WAC 434-230-110 President and vice president of the United States. (1) When the race for president and vice president appears on a general election ballot, the candidates for these offices must be paired together.

(2) The full name of the political party, rather than an abbreviation, must be provided for each pair of candidates, with a designation that these candidates are the nominees of the party. The first letter of each word in the political party name must be capitalized. For example:

Example Party Nominees

(3) If candidates are not nominees of a political party and are running as independent candidates, that description must be provided for the pair of candidates. The first letter of each word in the description must be capitalized. For example:

Independent Candidates

(4) The order that candidates appear on the ballot is based on their political party, as established by RCW 29A.36.161. Minor party and independent candidate nominating petitions are processed in the order in which they are submitted to the office of the secretary of state.

[Statutory Authority: RCW 29A.04.611. WSR 14-06-040, § 434-230-110, filed 2/26/14, effective 3/29/14; WSR 08-15-052, § 434-230-110, filed 7/11/08, effective 8/11/08.]

WAC 434-230-130 Envelopes. Mail-in ballots must be accompanied by the following:

(1) A security envelope or sleeve, which may not identify the voter and must have a hole punched in a manner that will reveal whether a ballot is inside;

(2) A return envelope, which must be addressed to the county auditor and have a hole punched in a manner that will reveal whether the security envelope is inside. The return envelope must display the official election materials notice required by the United States Postal Service, display the words "APPLY FIRST-CLASS POSTAGE HERE" or "POSTAGE PAID" in the upper right-hand corner, and conform to postal department regulations.

[Statutory Authority: RCW 29A.04.611. WSR 14-06-040, § 434-230-130, filed 2/26/14, effective 3/29/14. Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. WSR 11-24-064, § 434-230-130, filed 12/6/11, effective 1/6/12.]