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**SENATE BILL 5108**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators Padden, Billig, Miloscia, Hasegawa, and Chase

AN ACT Relating to the order of candidate names on ballots; amending RCW 29A.52.220; and adding a new section to chapter 29A.36 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 29A.36 RCW to read as follows:

(1) At primaries, the county auditor shall prepare as many sets of ballots as there are candidates in the office or position in which there are the greatest number of candidates. On an initial set of ballots, the names of candidates shall be arranged in the order determined under RCW 29A.36.131. On each subsequent set of ballots, the candidates for federal offices, state offices, county partisan offices, and judicial offices in the first position under the office heading shall be moved to the last position under that office heading, and each other name shall be moved up to the position immediately above its previous position under that office heading. The county auditor shall prepare as nearly as possible an equal number of ballots after each change. However, the same order of candidates for all offices shall appear on every ballot in a precinct, as required by RCW 29A.36.111(1). The effect of this rotation of the order of the names shall be that the name of each candidate for an office or position shall appear first, second, and so forth for that office or position on the ballots of a nearly equal number of registered voters in that jurisdiction.

(2) If no primary is held for the office of the superintendent of public instruction or for a judicial office because two candidates have filed for the position, the names of those candidates on the general election ballot shall be rotated in accordance with subsection (1) of this section.

(3) The names of candidates for city, town, and district office on the ballot at the primary shall not be rotated.

**Sec.**  RCW 29A.52.220 and 2013 c 195 s 1 are each amended to read as follows:

(1)(a) No primary may be held for any single position in any nonpartisan office if, after the last day allowed for candidates to withdraw, there are no more than two candidates filed for the position. The county auditor shall as soon as possible notify all the candidates so affected that the office for which they filed will not appear on the primary ballot.

(b) If no primary is held for the office of the superintendent of public instruction or for a judicial office because two candidates have filed for the position, the names of those candidates on the general election ballot shall be rotated in accordance with section 1 of this act.

(2) No primary may be held for the office of commissioner of a park and recreation district or for the office of cemetery district commissioner.

(3) Names of candidates for offices that do not appear on the primary ballot shall be printed upon the general election ballot in the manner specified by RCW 29A.36.131.

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