

SHB 1469 - H AMD 882

By Representative Hudgins

1 Strike everything after the enacting clause and insert the
2 following:

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

5 In 1989, the people of the state of Washington ((declare))
6 declared 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, to update the primary process to provide an
18 earlier default date, and to provide the flexibility needed to
19 promote a regional presidential primary.

20 (3) A presidential primary ((will)) affords the maximum
21 opportunity for voter access ((at regular polling places during the
22 daytime and evening hours)) with voting by mail convenient to the
23 most people.

24 (4) This state's participation in the selection of presidential
25 candidates shall be in accordance with the will of the people as
26 expressed in a presidential ((preference)) primary.

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

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

3 (1) On the (~~fourth~~) second Tuesday in (~~May~~) March of each
4 year in which a president of the United States is to be nominated and
5 elected, a presidential primary shall be held at which voters may
6 vote for the nominee of a major political party for the office of
7 president. The secretary of state may propose an alternative date for
8 the primary no later than the first day of (~~August~~) July of the
9 year before the year in which a president is to be nominated and
10 elected.

11 (2) No later than the (~~first~~) fifteenth day of (~~September~~)
12 July of the year before the year in which a presidential nominee is
13 selected, the state committee of any major political party that will
14 use the primary results for candidates of that party may propose an
15 alternative date for that primary.

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

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

35 NEW SECTION. **Sec. 3.** A new section is added to chapter 29A.56
36 RCW to read as follows:

37 (1) The secretary of state may change the date of the
38 presidential primary to a date later in the calendar year in order to
39 coordinate a regional primary with Arizona, California, Idaho,

1 Nevada, Oregon, and Utah, as well as other western states. Any change
2 in the date must be made on or before the first day of December of
3 the year before the year in which presidential nominees are selected.

4 (2) If an alternate date is selected under this section, the
5 secretary of state shall adopt rules under RCW 29A.04.620 to adjust
6 the deadlines in RCW 29A.56.030 and related provisions of this
7 chapter to correspond with the selected date.

8 **Sec. 4.** RCW 29A.56.030 and 2011 c 349 s 19 are each amended to
9 read as follows:

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

14 ~~((1))~~ (a) By direction of the secretary of state, ~~((who in the~~
15 ~~secretary's sole discretion))~~ if the major political party does not
16 object to the candidate's candidacy, and the secretary of state has
17 determined that the candidate's candidacy is generally advocated or
18 is recognized in national news media; or

19 ~~((2))~~ (b) If members of the political party of the candidate
20 have presented a petition for nomination of the candidate that has
21 attached to the petition a sheet or sheets containing the signatures
22 of at least one thousand registered voters who declare themselves in
23 the petition as being affiliated with the same political party as the
24 presidential candidate. The petition shall be filed with the
25 secretary of state not later than seventy-five days before the
26 presidential (~~(preference)~~) primary. The signature sheets shall also
27 contain the residence address and ~~((name or number of the precinct))~~
28 zip code of each registered voter whose signature appears thereon and
29 shall be certified in the manner prescribed in RCW 29A.72.230 and
30 29A.72.240.

31 (2) The secretary of state shall place the name of the candidate
32 on the ballot unless the candidate, at least sixty-seven days before
33 the presidential (~~(preference)~~) primary, executes and files with the
34 secretary of state an affidavit stating without qualification that he
35 or she ~~((is not now and will not become a candidate for the office of~~
36 ~~president of the United States at the forthcoming presidential~~
37 ~~election))~~ wishes to have his or her name removed from the state's
38 presidential primary ballot.

1 (3) If, prior to the sixty-seventh day before the presidential
2 primary, a candidate has died, withdrawn from consideration, or
3 suspended his or her campaign, the secretary of state may, at the
4 secretary's sole discretion, remove the candidate's name from the
5 ballot upon the secretary's determination that information of the
6 candidate's death, withdrawal from consideration, or suspension of
7 campaign has been widely reported and recognized in the national
8 media.

9 (4) The secretary of state shall certify the names of all
10 candidates who will appear on the presidential ((preference)) primary
11 ballot to the respective county auditors ((on or before the fourth
12 Tuesday in April of each presidential election year)) at least sixty
13 days before the presidential primary.

14 **Sec. 5.** RCW 29A.56.040 and 2013 c 11 s 54 are each amended to
15 read as follows:

16 (1) Except where necessary to accommodate the national or state
17 rules of a major political party or where this chapter specifically
18 provides otherwise, the presidential primary must be conducted in
19 substantially the same manner as a state primary under this title.

20 (2) The arrangement and form of presidential primary ballots must
21 be established by administrative rule adopted under RCW 29A.04.620.
22 Only the candidates who have qualified under RCW 29A.56.030 may
23 appear on the ballots.

24 (3) Each party's ballot or portion of the ballot must list
25 alphabetically the names of all qualified candidates for that party's
26 nomination for the office of president, and no other names. The
27 ballot must clearly indicate the political party of each candidate.
28 ~~((Each ballot must include a blank space to allow the voter to write~~
29 ~~in the name of any other candidate.))~~

30 (4) A presidential primary ballot with votes for more than one
31 candidate is void, and notice to this effect, stated in clear, simple
32 language and printed in large type, must appear on the face of each
33 presidential primary ballot or on or about each voting device.

34 **Sec. 6.** RCW 29A.56.050 and 2003 c 111 s 1405 are each amended to
35 read as follows:

36 (1) A major political party may, under national or state party
37 rules, base the allocation of delegates from this state to the
38 national nominating convention of that party in whole or in part on

1 the participation in precinct caucuses and conventions conducted
2 under the rules of that party.

3 (2) If requested by a major political party, the secretary of
4 state shall adopt rules under RCW 29A.04.620 to provide for any
5 declaration required by that party, and to provide that votes cast
6 for that party's candidates shall only be counted if cast by a voter
7 subscribing to that party's declaration and no other.

8 (3) Voters who subscribe to a specific political party
9 declaration under this section must be given ballots that are readily
10 distinguishable from those given to other voters. Votes cast by
11 persons making these declarations must be tabulated and reported
12 separately from other votes cast at the primary and may be used by a
13 major political party in its allocation of delegates under the rules
14 of that party.

15 (4) (~~For a political party that requires a specific voter~~
16 ~~declaration under this section,~~) The secretary of state shall
17 prescribe rules for providing(~~, to the state and county committees~~
18 ~~of that political party,~~) to the public a copy of the declarations
19 or a list of the voters who participated in the presidential
20 nominating process of (~~that~~) each political party.

21 **Sec. 7.** RCW 29A.60.190 and 2015 c 146 s 4 are each amended to
22 read as follows:

23 Ten days after a special election held in February or April, ten
24 days after a presidential primary held pursuant to chapter 29A.56
25 RCW, fourteen days after a primary, or twenty-one days after a
26 general election, the county canvassing board shall complete the
27 canvass and certify the results. Each ballot that was returned before
28 8:00 p.m. on the day of the special election, general election, or
29 primary, and each ballot bearing a postmark on or before the date of
30 the special election, general election, or primary and received no
31 later than the day before certification, must be included in the
32 canvass report.

33 **Sec. 8.** RCW 29A.08.161 and 2004 c 271 s 107 are each amended to
34 read as follows:

35 No record may be created or maintained by a state or local
36 governmental agency or a political organization that identifies a
37 voter with the information marked on the voter's ballot, including
38 the choice that a voter makes on a partisan primary ballot regarding

1 political party affiliation. This section does not apply to voter
2 party declaration information under RCW 29A.56.050.

3 **Sec. 9.** RCW 29A.04.206 and 2005 c 2 s 3 are each amended to read
4 as follows:

5 The rights of Washington voters are protected by its constitution
6 and laws and include the following fundamental rights:

7 (1) The right of qualified voters to vote at all elections;

8 (2) The right of absolute secrecy of the vote. No voter may be
9 required to disclose political faith or adherence in order to vote,
10 except for the presidential primary conducted under chapter 29A.56
11 RCW;

12 (3) The right to cast a vote for any candidate for each office
13 without any limitation based on party preference or affiliation, of
14 either the voter or the candidate."

15 Correct the title.

EFFECT: (1) Provides that the secretary of state may not include
the name of a presidential candidate on the presidential primary
ballot if that candidate's party objects to that candidate.

(2) Prohibits the inclusion of write-in candidates and other
names on a party's ballot other than the names of qualified
candidates for that party's nomination.

(3) Provides that only votes cast by a voter subscribing to a
party may be counted for that party's candidates.

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