

FINAL BILL REPORT

SB 6058

PARTIAL VETO C 187 L 18 Synopsis as Enacted

Brief Description: Modifying write-in voting provisions.

Sponsors: Senators Hunt, Zeiger and Kuderer.

Senate Committee on State Government, Tribal Relations & Elections
House Committee on State Government, Elections & Information Technology

Background: Write-In Candidacies. Any person may file for an office as a write-in candidate after the closing of the filing period for elective offices. Write-in candidates may, but are not required to, file a declaration of write-in candidacy for the office up to 18 days before the election. A declaration of write-in candidacy must be accompanied by the filing fee for the office—1 percent of the annual salary for the office sought, or \$10 for any office with an annual salary of \$1,000 or less. No filing fee is required for an office compensated on a per diem basis.

A person may not file as a write-in candidate under the following conditions:

- the person attempting to file has filed as a write-in candidate for the same office or the person's name appeared on the ballot for the same office at the preceding primary;
- the person attempting to file has already filed a valid write-in declaration for that primary or election;
- the name of the person attempting to file already appears on the ballot as a candidate for another office, other than precinct committee officer; or
- the office filed for is committee precinct officer.

Counting Write-In Votes. The number of write-in votes cast for each office must be recorded and reported with the canvass for the election. A write-in vote for an individual candidate is not tabulated unless:

- the difference between the number of votes cast for the two candidates receiving the most votes and the write-in candidate is less than the total number of write-in votes for the office; or
- a manual recount is conducted for that office.

Summary: Counting Write-In Votes. Votes may not be counted or individually tallied for an individual write-in candidate who has not filed a declaration of write-in candidacy, accompanied by the appropriate filing fee, by 8:00 p.m. the night of the election.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Declaration of Write-In Candidacy. Any person who files a declaration of write-in candidacy more than 18 days before a primary or general election is not required to pay a filing fee. A person who files a declaration of write-in candidacy 18 or fewer days before a primary or general election must pay a filing fee of 1 percent of the office's annual salary if the annual salary is greater than \$1,000, or a \$25 filing fee if the annual salary is \$1,000 or less.

Votes on Final Passage:

Senate	46	1	
House	79	18	(House amended)
Senate	46	3	(Senate concurred)

Effective: June 7, 2018

Partial Veto Summary: The section invalidating and requiring an undercount for votes cast for write-in candidates who have not filed a declaration of candidacy was vetoed.