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**SSB 5182** - H AMD **621**

By Representative Corry

**NOT ADOPTED 04/11/2023**

 On page 7, after line 19, insert the following:

 "**Sec. 11.** RCW 29A.24.075 and 2013 c 11 s 25 are each amended to read as follows:

(1) A person filing a declaration of candidacy for an office shall, at the time of filing, be a registered voter and possess the qualifications specified by law for persons who may be elected to the office.

(2) Excluding the office of precinct committee officer or a temporary elected position such as a charter review board member or freeholder, no person may file for more than one office.

(3) The name of a candidate for an office ((~~shall~~)) may not appear on a ballot for that office unless, except for judge of the superior court and as provided in RCW 3.50.057, the candidate is, at the time the candidate's declaration of candidacy is filed, properly registered to vote in the geographic area represented by the office. For the purposes of this section, each geographic area in which registered voters may cast ballots for an office is represented by that office. If a person elected to an office must be nominated from a district or similar division of the geographic area represented by the office, the name of a candidate for the office ((~~shall~~)) may not appear on a primary ballot for that office unless the candidate is, at the time the candidate's declaration of candidacy is filed, properly registered to vote in that district or division. The officer with whom declarations of candidacy must be filed under this title shall review each such declaration filed regarding compliance with this subsection.

(4) The filing officer may not submit the name of a candidate for an office for inclusion on the ballot if, pursuant to this section, at the time that the candidate's declaration of candidacy is filed, the candidate is not properly registered to vote in the geographic area represented by the office or does not possess the qualifications specified by law for persons who may be elected to the office. If the filing officer finds that the candidate is unqualified to hold the office:

(a) In a case in which a primary must be conducted for the office and has already occurred:

(i) If ballots for the general election for the office have not been ordered by the county auditor, the candidate who received the third greatest number of votes for the office at the primary shall qualify as a candidate for general election and that candidate's name shall be printed on the ballot for the office in lieu of the name of the disqualified candidate.

(ii) If general election ballots for the office have been so ordered, votes cast for the disqualified candidate at the general election for the office may not be counted for that office.

(b) In a case in which a primary must be conducted for the office but has not yet occurred:

(i) If ballots for the primary election for the office have not been ordered by the county auditor, the name of the disqualified candidate may not appear on the primary election ballot for the office.

(ii) If primary election ballots for the office have been so ordered, votes cast for the disqualified candidate at the primary election for the office may not be counted for that office.

(c) In a case in which a primary is not conducted for the office:

(i) If ballots for the general election for the office have not been ordered by the county auditor, the name of the disqualified candidate may not appear on the general election ballot for the office.

(ii) If general election ballots for the office have been so ordered, votes cast for the disqualified candidate at the general election for the office may not be counted for that office.

(d) If the disqualified candidate is the only candidate to have filed for the office during a regular or special filing period for the office, a void in candidacy for the office exists.

(5) The requirements of voter registration and residence within the geographic area of a district do not apply to candidates for congressional office. Qualifications for the United States congress are specified in the United States Constitution.

**Sec. 12.** RCW 29A.36.101 and 2013 c 11 s 41 are each amended to read as follows:

Except as provided in RCW 29A.24.075, for the candidates for president and vice president, or for a partisan or nonpartisan office for which no primary is required, the names of all candidates who, under this title, filed a declaration of candidacy must appear on the appropriate ballot at the primary throughout the jurisdiction for which they filed."

Correct the title.

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|  |  EFFECT:   Specifies that the filing officer may not submit the name of a candidate for office for inclusion on the ballot unless that candidate is properly registered to vote in the geographic area represented by the office and possesses the qualification to hold that office at the time that the declaration of candidacy is filed. Provides a procedure for the conduct of elections if the filing officer finds that a candidate is unqualified to hold the office. |

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