

RCW 29A.24.311 Write-in voting—Candidates, declaration. (1)

Any person who desires to be a write-in candidate shall file a declaration of candidacy with the officer designated in RCW 29A.24.070 not later than 8:00 p.m. on the day of the primary or election. A write-in declaration of candidacy is timely if filed by this deadline. No votes shall be counted for a write-in candidate who has not properly filed a write-in declaration of candidacy.

(2) Votes cast for write-in candidates who have filed such declarations of candidacy need only specify the name of the candidate in the appropriate location on the ballot in order to be counted.

(3) No person may file as a write-in candidate where:

(a) At a general election, the person attempting to file either filed as a write-in candidate for the same office at the preceding primary or the person's name was printed on the ballot for the same office at the preceding primary;

(b) The person attempting to file as a write-in candidate has already filed a valid write-in declaration for that primary or election;

(c) The name of the person attempting to file is already printed on the ballot as a candidate for another office, unless the other office is precinct committee officer or a temporary elected position, such as charter review board member or freeholder;

(d) The office filed for is precinct committee officer.

(4) The declaration of candidacy shall be similar to that required by RCW 29A.24.031. No write-in candidate filing under this section may be included in any voters' pamphlet produced under chapter 29A.32 RCW unless that candidate qualifies to have his or her name printed on the general election ballot. The legislative authority of any jurisdiction producing a local voters' pamphlet under chapter 29A.32 RCW may provide, by ordinance, for the inclusion of write-in candidates in such pamphlets. [2018 c 187 § 2; 2013 c 11 § 91; 2012 c 89 § 2; 2011 c 349 § 13; 2004 c 271 § 117.]

Intent—Finding—2012 c 89: "The United States district court, western district of Washington, ruled that Washington's method of electing political party precinct committee officers is unconstitutional based on the associational rights of political parties. The court stated that Washington may decide to implement elections for precinct committee officer in a manner not yet conceived but ultimately satisfactory to the political parties. Washington may even implement these elections in a way that severely burdens the political parties' associational rights but does so in a manner narrowly tailored to serve a compelling governmental interest. The major political parties stated in court that they might be satisfied of party membership if a voter affirms affiliation with the particular party. Toward this end, the legislature has worked closely with the major political parties to develop a system of electing precinct committee officers that the parties support, that will protect the secrecy of the ballot, and will not increase burdens placed on local election officials. Therefore, it is the intent of the legislature to remedy the unconstitutional method of selecting precinct committee officers by implementing a provision requiring voters to affirm an affiliation with the appropriate party in order to vote in a race for precinct committee officer in that party. The legislature finds that the office of precinct committee officer itself is both a

constitutionally recognized and authorized office with certain duties outlined in state law and the state Constitution." [2012 c 89 § 1.]

Effective date—2012 c 89: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 29, 2012]." [2012 c 89 § 7.]

Effective date—2011 c 349: See note following RCW 29A.04.255.