

Chapter 434-208 WAC

ELECTIONS

(Formerly chapter 434-08 WAC)

WAC

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**DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER**

434-208-010	Advisory election upon contemplation of classification advancement. [WSR 98-08-010, recodified as § 434-208-010, filed 3/18/98, effective 3/18/98; Regulation 1, filed 3/24/60.] Repealed by WSR 11-05-008, filed 2/3/11, effective 3/6/11. Statutory Authority: RCW 29A.04.611, 29A.04.255.
434-208-020	Remedial steps—Third class city under mayor-council government. [WSR 98-08-010, recodified as § 434-208-020, filed 3/18/98, effective 3/18/98; Regulation 2, filed 3/24/60.] Repealed by WSR 11-05-008, filed 2/3/11, effective 3/6/11. Statutory Authority: RCW 29A.04.611, 29A.04.255.
434-208-030	Determination of original terms of councilmen—Second, third, or fourth class city or town. [WSR 98-08-010, recodified as § 434-208-030, filed 3/18/98, effective 3/18/98; Regulation 3, filed 3/24/60.] Repealed by WSR 11-05-008, filed 2/3/11, effective 3/6/11. Statutory Authority: RCW 29A.04.611, 29A.04.255.
434-208-040	Appointment of clerks. [WSR 98-08-010, recodified as § 434-208-040, filed 3/18/98, effective 3/18/98; Regulation 4, filed 3/24/60.] Repealed by WSR 09-18-098, filed 9/1/09, effective 10/2/09. Statutory Authority: RCW 29A.04.611.
434-208-050	Restrictions on write-in or sticker votes. [WSR 98-08-010, recodified as § 434-208-050, filed 3/18/98, effective 3/18/98; Regulation 5, filed 3/24/60.] Repealed by WSR 02-02-039, filed 12/26/01, effective 1/26/02. Statutory Authority: RCW 29.04.080.
434-208-070	Electronic filings not accepted. [Statutory Authority: RCW 29A.04.611, WSR 06-23-094, § 434-208-070, filed 11/15/06, effective 12/16/06. WSR 98-08-010, recodified as § 434-208-070, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.04.230. WSR 92-18-087, § 434-08-070, filed 9/2/92, effective 10/3/92.] Repealed by WSR 11-05-008, filed 2/3/11, effective 3/6/11. Statutory Authority: RCW 29A.04.611, 29A.04.255.
434-208-080	Electronic facsimile filings followed by original document. [Statutory Authority: RCW 29A.04.611, 29A.04.530. WSR 06-02-028, § 434-208-080, filed 12/28/05, effective 1/28/06. WSR 98-08-010, recodified as § 434-208-080, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.04.230. WSR 92-18-087, § 434-08-080, filed 9/2/92, effective 10/3/92.] Repealed by WSR 06-23-094, filed 11/15/06, effective 12/16/06. Statutory Authority: RCW 29A.04.611.
434-208-090	Rejection of electronic facsimile filings. [WSR 98-08-010, recodified as § 434-208-090, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.04.230. WSR 92-18-087, § 434-08-090, filed 9/2/92, effective 10/3/92.] Repealed by WSR 06-23-094, filed 11/15/06, effective 12/16/06. Statutory Authority: RCW 29A.04.611.
434-208-100	Registering to vote—Nontraditional address. [Statutory Authority: RCW 29.04.080. WSR 03-15-054, § 434-208-100, filed 7/11/03, effective 8/11/03.] Repealed by WSR 05-24-039, filed 11/30/05, effective 12/31/05. Statutory Authority: RCW 29A.04.611.

WAC 434-208-060 Electronic filings. (1) In addition to those documents specified by RCW 29A.04.255, the secretary of state or the county auditor shall accept and file in his or her office electronic transmissions of the following documents:

(a) The text of any proposed initiative, referendum, or recall measure and any accompanying documents required by law;

(b) Any minor party or independent candidate filing material for president and vice-president, except nominating petitions;

(c) Lists of presidential electors selected by political parties or independent candidates;

(d) Voted ballots and signed ballot declarations from service and overseas voters received no later than 8:00 p.m. on election day. Voted ballots and signed ballot declarations from voters who are neither service nor overseas voters received no later than 8:00 p.m. on election day, as long as hard copies are received no later than the day before certification of the election. Consistent with WAC 434-250-080, it is the first ballot and declaration received that may be processed and counted. Voted ballots received electronically no later than 8:00 p.m. on election day are timely even if the postmark on the return envelope is after election day;

(e) Resolutions from cities, towns, and other districts calling for a special election;

(f) Voter registration forms, unless the form is illegible or the signature image is poor quality requiring the county auditor to reject the form;

(g) Signed ballot declarations, and any accompanying materials, submitted pursuant to WAC 434-261-050; and

(h) Requests to withdraw.

(2) If payment of a fee is required, the electronic filing is not complete until the fee is received.

(3) No initiative, referendum, recall, or other signature petitions may be filed electronically.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. WSR 11-24-064, § 434-208-060, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611, 29A.04.255. WSR 11-05-008, § 434-208-060, filed 2/3/11, effective 3/6/11. Statutory Authority: RCW 29A.04.611. WSR 08-15-052, § 434-208-060, filed 7/11/08, effective 8/11/08; WSR 06-23-094, § 434-208-060, filed 11/15/06, effective 12/16/06. Statutory Authority: RCW 29A.04.610. WSR 04-15-089, § 434-208-060, filed 7/16/04, effective 8/16/04. Statutory Authority: 2002 c 140 § 3. WSR 02-15-156, § 434-208-060, filed 7/23/02, effective 8/23/02. WSR 98-08-010, recodified as § 434-208-060, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.04.230. WSR 92-18-087, § 434-08-060, filed 9/2/92, effective 10/3/92.]

WAC 434-208-110 References to time. References to times of day (i.e., 8:00 p.m.) are according to Pacific Time.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. WSR 11-24-064, § 434-208-110, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611. WSR 08-15-052, § 434-208-110, filed 7/11/08, effective 8/11/08.]

WAC 434-208-120 Emergencies. As chief election officer, the secretary of state shall make reasonable rules consistent with federal and state election laws to effectuate any provision of Title 29A RCW and to facilitate the execution of its provisions in an orderly, timely, and uniform manner relating to any federal, state, county, city, town, and district election. In the event of a natural or manmade disaster or catastrophe, the secretary of state will consult with county auditors of impacted counties to determine the impact of the disaster or catastrophe on the administration of the election, and how best to mitigate that impact. The secretary of state may adopt emergency rules and procedures necessary to facilitate administration of the election in the impacted counties. The emergency rules and procedures must be limited in duration and scope to that necessary to administer the election. A natural or manmade disaster or catastrophe may include, but is not limited to, fire, flood, mudslide, landslide, tsunami, extreme snow or wind, pandemic, technological failure, or broad scale violence or terrorism.

[Statutory Authority: RCW 29A.04.611, WSR 10-03-072, § 434-208-120, filed 1/18/10, effective 2/18/10.]

WAC 434-208-130 Political parties. (1) For purposes of RCW 29A.04.086, "major political party" means a political party whose nominees for president and vice-president received at least five percent of the total votes cast for that office at the last preceding presidential election. A political party that qualifies as a major political party retains such status until the next presidential election at which the presidential and vice-presidential nominees of that party do not receive at least five percent of the votes cast.

(2) For purposes of RCW 42.17A.005, the secretary of state recognizes as a minor political party a political party whose nominees for president and vice-president qualified to appear on the ballot in the last preceding presidential election according to the minor party nomination process provided in RCW 29A.20.111 through 29A.20.201. A political party that qualifies as a minor political party retains such status until certification of the next presidential election. This definition is for purposes of chapter 42.17A RCW only.

(3) As allowed by WAC 434-215-012, 434-215-120, and 434-215-130, candidates for partisan office may state a preference for any political party and are not restricted to stating a preference for a political party that meets the definition of major or minor political party. A candidate's party preference does not imply that the candidate is nominated or endorsed by that party, or that the party approves of or associates with that candidate. With the exception of elections for president and vice-president, a party's status as a major or minor political party, or a candidate's preference for a major or minor political party, plays no role in how candidates qualify to appear on the primary election ballot, qualify to appear on the general election ballot, or are elected to public office.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. WSR 11-24-064, § 434-208-130, filed 12/6/11, effective 1/6/12.]

WAC 434-208-140 Election notices. Election notices are governed by RCW 29A.04.220 and 29A.52.XXX (section 45, chapter 10 (ESSB 5124), Laws of 2011).

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(1) "Short titles for ballot measures" means the name of the jurisdiction, the measure number, and the heading or caption.

(2) The notice for elderly and disabled person required by RCW 29A.04.220 may be combined with the notice of election required by RCW 29A.52.XXX (section 45, chapter 10 (ESSB 5124), Laws of 2011) in a single publication.

(3) Public meetings associated with the election include county canvassing board meetings.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. WSR 11-24-064, § 434-208-140, filed 12/6/11, effective 1/6/12.]

WAC 434-208-160 Online information. The secretary of state and each county auditor must provide information online that includes, at a minimum, how to:

- (1) Register to vote using a paper or online application;
- (2) Confirm a registration status;
- (3) Request a ballot or replacement ballot;
- (4) For service and overseas voters, receive a ballot electronically;
- (5) Update a residential address or mailing address;
- (6) Contact the elections office by phone, fax, e-mail, mailing address, and physical address;
- (7) Obtain information about the next election;
- (8) For service or overseas voters, return a signed declaration and voted ballot electronically;
- (9) Confirm that a voted ballot has been received; and
- (10) Obtain election results.

[Statutory Authority: RCW 29A.04.611, WSR 12-14-074, § 434-208-160, filed 7/2/12, effective 8/2/12.]