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HOUSE BILL 1596

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State of Washington

52nd Legislature

1991 Regular Session

By Representatives Anderson, McLean, R. Fisher and Pruitt; by request of Secretary of State.

Read first time February 4, 1991. Referred to Committee on State Government.

1 AN ACT Relating to filing fees for candidates; amending RCW  
2 29.18.050 and 29.15.050; prescribing penalties; providing an effective  
3 date; and providing an expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 29.18.050 and 1987 c 295 s 2 are each amended to read  
6 as follows:

7 A filing fee of one dollar shall accompany each declaration of  
8 candidacy for precinct committee officer; a filing fee of ten dollars  
9 shall accompany the declaration of candidacy for any office with an  
10 annual salary of one thousand dollars or less; a filing fee equal to  
11 one percent of the annual salary shall accompany the declaration of  
12 candidacy for any office with an annual salary of more than one  
13 thousand dollars per annum.

14 A candidate who lacks sufficient assets or income at the time of  
15 filing to pay the filing fee required by this section shall submit with

1 his or her declaration of candidacy a nominating petition. The  
2 petition shall contain not less than a number of signatures of  
3 registered voters equal to the number of dollars of the filing fee.  
4 The signatures shall be of voters registered to vote within the  
5 jurisdiction of the office for which the candidate is filing.

6 The candidate shall provide additional information supporting the  
7 claim that the candidate is without sufficient assets or income to pay  
8 the filing fee. The secretary of state shall prescribe by rule the  
9 information to be submitted and the form to be used by the candidate  
10 in supplying the information. The candidate may submit the form at the  
11 time of filing or within five calendar days of filing. If the  
12 candidate fails to submit the form the filing officer shall reject the  
13 filing. If the form is incomplete the filing officer may either reject  
14 the filing or request additional information.

15 Upon receipt of the form, the filing officer shall review the  
16 information submitted by the candidate. If the filing officer  
17 determines, in his or her judgment, that the information supports the  
18 candidate's claim, the officer shall accept the filing as valid. If  
19 the filing officer determines that the additional information does not  
20 support the claim, the filing officer shall immediately request payment  
21 of the filing fee. If a candidate does not pay the filing fee within  
22 five calendar days of the issuance of the request, the filing officer  
23 shall reject the filing.

24 When the candidacy is for:

25 (1) A federal or state-wide office, the fee shall be paid to the  
26 secretary of state for deposit in the state treasury.

27 (2) A legislative or judicial office that includes territory from  
28 more than one county, the fee shall be paid to the secretary of state  
29 for equal division between the treasuries of the counties comprising  
30 the district.

1 (3) A county office or a legislative, judicial, or district office  
2 that includes territory from a single county, the fee shall be paid to  
3 the county auditor for deposit in the county treasury.

4 (4) A city or town office, the fee shall be paid to the county  
5 auditor who shall transmit it to the city or town clerk for deposit in  
6 the city or town treasury.

7 **Sec. 2.** RCW 29.15.050 and 1990 c 59 s 85 are each amended to read  
8 as follows:

9 A filing fee of one dollar shall accompany each declaration of  
10 candidacy for precinct committee officer; a filing fee of ten dollars  
11 shall accompany the declaration of candidacy for any office with a  
12 fixed annual salary of one thousand dollars or less; a filing fee equal  
13 to one percent of the annual salary of the office at the time of filing  
14 shall accompany the declaration of candidacy for any office with a  
15 fixed annual salary of more than one thousand dollars per annum. No  
16 filing fee need accompany a declaration of candidacy for any office for  
17 which compensation is on a per diem or per meeting attended basis, nor  
18 for the filing of any declaration of candidacy by a write-in candidate.

19 A candidate who lacks sufficient assets or income at the time of  
20 filing to pay the filing fee required by this section shall submit with  
21 his or her declaration of candidacy a nominating petition. The  
22 petition shall contain not less than a number of signatures of  
23 registered voters equal to the number of dollars of the filing fee.  
24 The signatures shall be of voters registered to vote within the  
25 jurisdiction of the office for which the candidate is filing.

26 The candidate shall provide additional information supporting the  
27 claim that the candidate is without sufficient assets or income to pay  
28 the filing fee. The secretary of state shall prescribe by rule the  
29 information to be submitted and the form to be used by the candidate in

1 supplying the information. The candidate may submit the form at the  
2 time of filing or within five calendar days of filing. If the  
3 candidate fails to submit the form the filing officer shall reject the  
4 filing. If the form is incomplete the filing officer may either reject  
5 the filing or request additional information.

6 Upon receipt of the form, the filing officer shall review the  
7 information submitted by the candidate. If the filing officer  
8 determines, in his or her judgment, that the information supports the  
9 candidate's claim, the officer shall accept the filing as valid. If  
10 the filing officer determines that the additional information does not  
11 support the claim, the filing officer shall immediately request payment  
12 of the filing fee. If a candidate does not pay the filing fee within  
13 five calendar days of the issuance of the request, the filing officer  
14 shall reject the filing.

15 When the candidacy is for:

16 (1) A legislative or judicial office that includes territory from  
17 more than one county, the fee shall be paid to the secretary of state  
18 for equal division between the treasuries of the counties comprising  
19 the district.

20 (2) A city or town office, the fee shall be paid to the county  
21 auditor who shall transmit it to the city or town clerk for deposit in  
22 the city or town treasury.

23 NEW SECTION. Sec. 3. Section 1 of this act shall expire July  
24 1, 1992.

25 NEW SECTION. Sec. 4. Section 2 of this act shall take effect  
26 July 1, 1992.