
HOUSE BILL 2433

State of Washington 58th Legislature 2004 Regular Session

By Representatives Hatfield, Clements, Haigh, Grant, Armstrong,
Blake, Sump and Condotta

Read first time 01/14/2004. Referred to Committee on State Government.

1 AN ACT Relating to appearing on a ballot for two offices; amending
2 RCW 29A.20.020, 29A.24.310, and 29A.36.200; and providing an effective
3 date.

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

5 **Sec. 1.** RCW 29A.20.020 and 2003 c 111 s 502 are each amended to
6 read as follows:

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

11 (2) Excluding the office of precinct committee officer, any office
12 for which a filing fee is not required, or a temporary elected position
13 such as a charter review board member or freeholder, no person may file
14 for more than one office.

15 (3) The name of a candidate for an office shall not appear on a
16 ballot for that office unless, except as provided in RCW 3.46.067 and
17 3.50.057, the candidate is, at the time the candidate's declaration of
18 candidacy is filed, properly registered to vote in the geographic area
19 represented by the office. For the purposes of this section, each

1 geographic area in which registered voters may cast ballots for an
2 office is represented by that office. If a person elected to an office
3 must be nominated from a district or similar division of the geographic
4 area represented by the office, the name of a candidate for the office
5 shall not appear on a primary ballot for that office unless the
6 candidate is, at the time the candidate's declaration of candidacy is
7 filed, properly registered to vote in that district or division. The
8 officer with whom declarations of candidacy must be filed under this
9 title shall review each such declaration filed regarding compliance
10 with this subsection.

11 (4) This section does not apply to the office of a member of the
12 United States Congress.

13 **Sec. 2.** RCW 29A.24.310 and 2003 c 111 s 622 are each amended to
14 read as follows:

15 Any person who desires to be a write-in candidate and have such
16 votes counted at a primary or election may file a declaration of
17 candidacy with the officer designated in RCW 29A.24.070 not later than
18 the day before the primary or election. Declarations of candidacy for
19 write-in candidates must be accompanied by a filing fee in the same
20 manner as required of other candidates filing for the office as
21 provided in RCW 29A.24.090.

22 Votes cast for write-in candidates who have filed such declarations
23 of candidacy and write-in votes for persons appointed by political
24 parties pursuant to RCW 29A.28.020 need only specify the name of the
25 candidate in the appropriate location on the ballot in order to be
26 counted. Write-in votes cast for any other candidate, in order to be
27 counted, must designate the office sought and position number or
28 political party, if the manner in which the write-in is done does not
29 make the office or position clear. In order for write-in votes to be
30 valid in jurisdictions employing optical-scan mark sense ballot systems
31 the voter must complete the proper mark next to the write-in line for
32 that office.

33 No person may file as a write-in candidate where:

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

1 (2) The person attempting to file as a write-in candidate has
2 already filed a valid write-in declaration for that primary or
3 election, unless one (~~(or the other)~~) of the two filings is for the
4 office of precinct committeeperson or any office for which no filing
5 fee is required;

6 (3) The name of the person attempting to file already appears on
7 the ballot as a candidate for another office, unless one of the two
8 offices for which he or she is a candidate is precinct committeeperson
9 or any office for which no filing fee is required.

10 The declaration of candidacy shall be similar to that required by
11 RCW 29A.24.030. No write-in candidate filing under this section may be
12 included in any voter's pamphlet produced under chapter 29A.32 RCW
13 unless that candidate qualifies to have his or her name printed on the
14 general election ballot. The legislative authority of any jurisdiction
15 producing a local voter's pamphlet under chapter 29A.32 RCW may
16 provide, by ordinance, for the inclusion of write-in candidates in such
17 pamphlets.

18 **Sec. 3.** RCW 29A.36.200 and 2003 c 111 s 920 are each amended to
19 read as follows:

20 The names of the persons certified as nominees by the secretary of
21 state or the county canvassing board shall be printed on the ballot at
22 the ensuing election.

23 No name of any candidate whose nomination at a primary is required
24 by law shall be placed upon the ballot at a general or special election
25 unless it appears upon the certificate of either (1) the secretary of
26 state, or (2) the county canvassing board, or (3) a minor party
27 convention or the state or county central committee of a major
28 political party to fill a vacancy on its ticket under RCW 29A.28.020.

29 Excluding the office of precinct committee officer, any office for
30 which a filing fee is not required, or a temporary elected position
31 such as a charter review board member or freeholder, a candidate's name
32 shall not appear more than once upon a ballot for a position regularly
33 nominated or elected at the same election.

34 NEW SECTION. **Sec. 4.** This act takes effect July 1, 2004.

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