
HOUSE BILL 1265

State of Washington

67th Legislature

2021 Regular Session

By Representatives Rude, Chapman, Griffey, Walsh, Graham, Eslick, Jacobsen, Chase, and Robertson; by request of Secretary of State

Read first time 01/18/21. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to the presidential primary; amending RCW
2 29A.56.031, 29A.56.040, and 29A.56.050.

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

4 **Sec. 1.** RCW 29A.56.031 and 2019 c 7 s 2 are each amended to read
5 as follows:

6 (1) Each party must determine which candidates are to be placed
7 on the presidential primary ballot for that party. The chair of each
8 party must submit to the secretary of state the names of the
9 candidates to appear on the ballot for that party no later than
10 sixty-three days before the presidential primary. Once submitted,
11 changes must not be made to the candidates that will appear on the
12 ballot.

13 (2) At least 60 days before the presidential primary, the
14 secretary of state shall certify the names of all candidates who will
15 appear on the presidential primary ballot, and information about
16 uncommitted delegates, if a party has requested inclusion of an
17 uncommitted choice under RCW 29A.56.040(4), to the respective county
18 auditors. The name of the candidates for each major political party
19 nomination for president of the United States shall be included on
20 the presidential primary ballot of the associated major political

1 party, and on the list of candidates on the ballot used by voters who
2 choose not to declare a party affiliation.

3 (3) No later than the seventh day before the presidential
4 nomination primary, the chair of each party must submit to the
5 secretary of state the names of write-in candidates, if any, to be
6 counted for that party.

7 **Sec. 2.** RCW 29A.56.040 and 2019 c 7 s 3 are each amended to read
8 as follows:

9 (1) Except where necessary to accommodate the national or state
10 rules of a major political party or where this chapter specifically
11 provides otherwise, the presidential primary must be conducted in
12 substantially the same manner as a state primary under this title.

13 (2) The arrangement and form of presidential primary ballots must
14 be established by administrative rule adopted under RCW 29A.04.620,
15 and in consultation with the major political parties. Only the
16 candidates who have been submitted under RCW 29A.56.031 may appear on
17 the ballots.

18 (3) Each party's ballot or portion of the ballot must list
19 alphabetically the names of all candidates for the office of
20 president for that party. The ballot must clearly indicate the
21 political party of each candidate. Additionally, each ballot must
22 contain a list of all candidates who have qualified for a place on
23 the ballot under RCW 29A.56.031 for use by voters that choose not to
24 declare a party affiliation. This list must be in alphabetical order
25 regardless of party, but the political party affiliation of each
26 candidate must be clearly indicated.

27 (4) If requested by a party chair, the ballot for that party must
28 contain a place for a voter to indicate a preference for having
29 delegates to the party's national convention remain uncommitted. A
30 request under this subsection must be submitted to the secretary of
31 state no later than sixty-three days before the presidential primary.

32 (5) A presidential primary ballot with votes for more than one
33 candidate is void, and notice to this effect, stated in clear, simple
34 language and printed in large type, must appear on the face of each
35 presidential primary ballot or on or about each voting device.

36 (6) Notice must be published in the manner required by RCW
37 29A.52.355.

1 **Sec. 3.** RCW 29A.56.050 and 2019 c 7 s 4 are each amended to read
2 as follows:

3 (1) A major political party may, under national or state party
4 rules, base the allocation of delegates from this state to the
5 national nominating convention of that party in whole or in part on
6 the participation in precinct caucuses and conventions conducted
7 under the rules of that party.

8 (2) If requested by a major political party, the secretary of
9 state shall adopt rules under RCW 29A.04.620 to provide for any
10 declaration required by that party.

11 (3) In addition to the party declaration provided by each party,
12 voters must be allowed to declare their intention not to affiliate
13 with a party.

14 (4) Voters who subscribe to a specific political party
15 declaration under this section may only vote for a candidate of that
16 party. Each list of candidates on ballots must be readily
17 distinguishable from the list of candidates for any other party, and
18 from the list of candidates to be used by voters that choose not to
19 declare a party affiliation. Votes cast by persons making these
20 declarations must be tabulated and reported separately from other
21 votes cast at the primary and may be used by a major political party
22 in its allocation of delegates under the rules of that party.

23 ~~((4))~~ (5) For a political party that requires a specific voter
24 declaration under this section, the secretary of state shall
25 prescribe rules for providing, to the state and county committees of
26 that political party, a copy of the declarations or a list of the
27 voters who participated in the presidential nominating process of
28 that party.

29 (6) Voters that do not subscribe to a party declaration, and
30 voters that declare that they do not wish to affiliate with a party,
31 may vote for any candidate qualified under RCW 29A.56.031 using the
32 list of all candidates to be used by unaffiliated voters. Votes cast
33 by voters who declare that they do not wish to affiliate with a party
34 and votes cast by voters who do not subscribe to a party oath must be
35 tabulated together and reported separately from the results of votes
36 cast by voters subscribing to a party oath.

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