

Top 2 Primary Advisory 05: Notice of Primary July 11, 2008

Implementation of the Top 2 Primary has not changed the requirements for the Notice of Primary as outlined in RCW 29A.52.311.

For those publishing a primary local voters' pamphlet, either on your own or combined with the state, publication of a Notice of Primary for the August primary is still required. RCW 29A.32.260 provides a notice of election exemption for counties publishing a voters' pamphlet; the exemption refers to notices listed in RCW 29A.52.351, which only applies to general and special elections. Therefore, counties publishing a local voters' pamphlet for the general election are not required to publish a notice of election.

Based on questions we have received from counties about the Top 2 Primary, there appears to be some confusion about whether it is to be treated like a nonpartisan primary. Even though party preference does not affect the way a candidate moves to the general election ballot as it did before, the Top 2 Primary is **not** administered as a nonpartisan primary. Offices previously considered partisan are still partisan offices.

Requirements for the Notice of Primary (RCW 29A.52.311; WAC 434-250-310(3))

When:

Between 3 and 10 days before the date of the Primary

Where:

One or more newspapers of general circulation in your county

Must include:

Names and addresses of all candidates for each race (see note below)
Party preferences, if stated, or "States No Party Preference" for each partisan candidate
Nonpartisan candidates listed separately, with a notation that the office is nonpartisan
Instructions for voting

(Note: List the campaign address if provided on the Declaration of Candidacy; if no campaign address was provided, use the candidate's residence address. For an easy copy and paste list of these, the 'Candidates Who Have Filed' report displays the campaign addresses for each candidate. WEI counties have state and local candidates on their report and non-WEI counties can find all state candidates here:

<http://wei.secstate.wa.gov/osos/en/candidatefiling/Pages/CandidateFilingIndex.aspx>)

Must also include, for vote by mail:

Statement if the election is conducted all by mail (if entire county is vote by mail)

List of precincts that are voting by mail (unless the entire county is vote by mail)

Statement that no polling places are open (unless all elections are vote by mail)

The location where voters may obtain replacement ballots

Whether return postage is required

Dates, times and locations of deposit sites and voting centers

Must include, for poll counties:

Hours polls will be open

Addresses of polls for each precinct

Not required, but preferable:

Publish the information included in the Notice of Primary on your website

Specifically state how much the postage will be to return the ballot

Provide specific information on accessible voting

Include final date to mail and final date time for drop off of ballots

Please contact the Certification and Training Program at (360) 902-4180 if you have any questions.