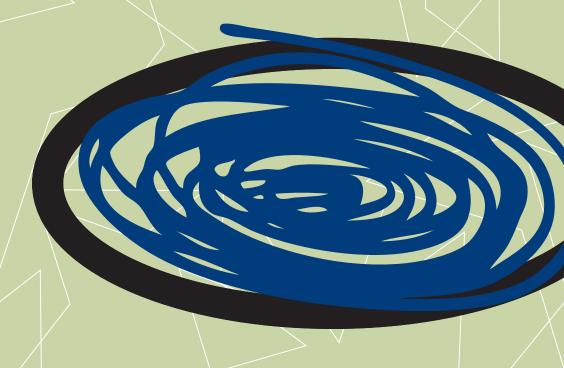
Voter Intent

Statewide Standards on What is a Vote







The state of Washington has a firm policy of making every effort to count each valid vote. We are a "voter intent" state and voters are not disenfranchised merely because they mark a ballot differently than directed. Stated simply, when voter intent can be discerned, the vote will be counted.

We have many examples of close elections where each vote matters so much, including the 2000 presidential race in Florida and the 2004 governor's race in Washington, where a relative handful of votes determined the winner. Determining a voter's intent is always an extremely important part of the counties' canvassing process, and becomes even more critical in close elections.

Washington's policy is grounded in federal and state law and regulations. The state and nation are committed to equal protection and to ensuring consistency across jurisdictional lines.

This helpful publication illustrates these important standards through use of pictorial examples of voted ballots and how they should be interpreted by County Canvassing Boards. No publication could anticipate all of the possible circumstances that arise in the canvassing process. In cases where the situation is not addressed in state law, administrative rule or this publication, authority to determine voter intent rests with the County Canvassing Board.

We all share the essential goal of fair and accurate elections. I commend this publication for your use and thank all of our election officials who so tirelessly and professionally support our voting process. This is central to our democracy and self-government.

Kim Wyman

Secretary of State

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Rule A Target Area

Any marks made in the target area shall be counted as valid votes.

Any marks made outside of the target area shall be valid only if they form a pattern of similar marks as outlined in Rule B or qualify as written instructions in Rule E.

Marks that trace or outline the target area are not valid votes unless they form a pattern of similar marks as outlined in Rule B.

Exceptions to Rule A:

- 1. Obvious stray marks
- 2. Hesitation marks
- 3. Parts of written notes
- 4. Corrected votes (See Rule C and Rule E)

Rule A, Example 1a

All choices marked are valid votes.

In the following example, all choices marked will count because they are all marked in the target area and do not fall under one of the exceptions to Rule A.

Sample Precinct Ballot Code 4 Leg District 14 Instructions to voters: Fill in the oval next to your choice If you make a mistake: Draw a line through the entire of You then have the option of making another choice if you	ce. Vote like this: Ceerge Washington
State Representative District 14, Position #1	State Representative District 14, Position #2
Teddy Roosevelt	Dolley Payne Madison
Abigail S. Adams	Rosa Parks
William Henry Harrison	Dwight D. Eisenhower
Write-in	Write-in
Englewood Fire District Commissioner	Water District 12 Commissioner
Wing Luke	James Monroe
Thurgood Marshall	Elisha P. Ferry
Sacagawea	Clara Barton
Write-in	Write-in

Rule A, Example 1b

All choices marked are valid votes.

In the following example, all choices marked will count because they are all marked in the target area and do not fall under one of the exceptions to Rule A.

	Sample County, WA November 6, 2222
Instructions to voters: Fill in the square next to you If you make a mistake: Draw a line through the entyou then have the option of making another choice in	tire candidate's name like this: George Washington
State Representative District 14, Position #1	State Representative District 14, Position #2
Teddy Roosevelt	Dolley Payne Madison
Abigail S. Adams	Rosa Parks
William Henry Harrison	Dwight D. Eisenhower
Write-in	Write-in
Englewood Fire District Commissioner	Water District 12 Commissioner
Wing Luke	James Monroe
Thurgood Marshall	Elisha P. Ferry
Sacagawea	Clara Barton
Write-in	Write-in

Rule A, Example 1c

All choices marked are valid votes.

In the following example, all choices marked will count because they are all marked in the target area and do not fall under one of the exceptions to Rule A.

Sample Precinct Ballot Code 4 Leg District 14 Official Ballot – Sample County, WA General Election November 6, 2222			
Instructions to voters: Fill in the arrow next to your choice. Vote like this: If you make a mistake: Draw a line through the entire candidate's name like this: George Washington You then have the option of making another choice if you wish.			
State Representative District 14, Position #1	State Representative District 14, Position #2		
Teddy Roosevelt	Dolley Payne Madison		
Abigail S. Adams	Rosa Parks		
William Henry Harrison •	■ ■ Dwight D. Eisenhower ← ■		
Write-in	■ Write-in ← ■		
Englewood Fire District Commissioner	Water District 12 Commissioner		
Wing Luke	James Monroe ← ■		
Thurgood Marshall •	■ ■ Elisha P. Ferry ←×■		
Sacagawea	Clara Barton		
Write-in	■ Write-in ← ■		

Rule A, Example 2a

Only the vote for Teddy Roosevelt is valid.

In the following example, only the vote for Roosevelt will count. The other marks are made outside of the target area and do not fulfill the pattern requirements of Rule B, so they are not valid votes.

Sample Precinct Ballot Code 4 Leg District 14	Official Ballot – Sa General Election N		
If you make a mistake:	Fill in the oval next to your cho Draw a line through the entire of making another choice if y	candidate's name	e like this: George Washington
-	esentative Position #1		ate Representative strict 14, Position #2
Teddy Roos	sevelt	Ol	lley Payne Madison
Abigail S. A	dams -	Ros	sa Parks
William He	nry Harrison	Dw	right D. Eisenhower
Write-in		Wri	ite-in
Englewood Commission	d Fire District		ter District 12 mmissioner
Wing Luke		Jan	nes Monroe
Thurgood N	/Jarshall	Elis	sha P. Ferry
Sacagawea	l	Cla	ra Barton
Write-in		\\\/ri	ite-in

Rule A, Example 2b

Only the vote for Teddy Roosevelt is valid.

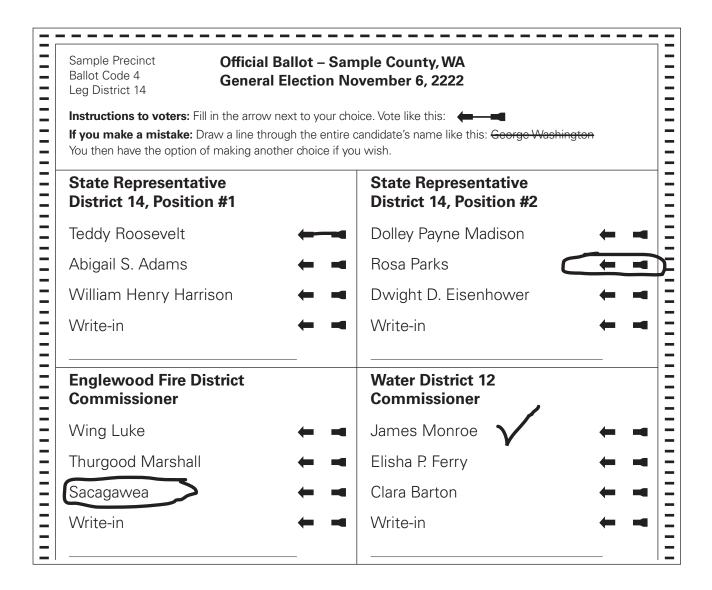
In the following example, only the vote for Roosevelt will count. The other marks are made outside of the target area and do not fulfill the pattern requirements of Rule B, so they are not valid votes.

Sample Precinct Ballot Code 4 Leg District 14 Official Ballot – Sample County, WA General Election November 6, 2222		
Instructions to voters: Fill in the square next to you If you make a mistake: Draw a line through the export the next to you then have the option of making another choice.	ntire candidate's name like this: George Washington	
State Representative District 14, Position #1	State Representative District 14, Position #2	
Teddy Roosevelt	√ Dolley Payne Madison	
Abigail S. Adams	Rosa Parks	
William Henry Harrison	Dwight D. Eisenhower	
Write-in	Write-in	
Englewood Fire District Commissioner	Water District 12 Commissioner	
Wing Luke	James Monroe	
Thurgood Marshall	Elisha P. Ferry	
Sacagawea	Clara Barton	
Write-in	Write-in	

Rule A, Example 2c

Only the vote for Teddy Roosevelt is valid.

In the following example, only the vote for Roosevelt will count. The other marks on this ballot are made outside of the target area and do not fulfill the pattern requirements of Rule B, so they are not valid votes.



Rule A, Example 3a

All choices marked are valid votes.

In this example, the marks made on this ballot get smaller with each race, an implication of 'voter fatigue'. All marks are in the target area and are valid votes.

Sample Precinct Ballot Code 4 Leg District 14 Instructions to voters: Fill in the oval next to your choice If you make a mistake: Draw a line through the entire of You then have the option of making another choice if you	ce. Vote like this: candidate's name like this: George Washington
State Representative District 14, Position #1	State Representative District 14, Position #2
Teddy Roosevelt	Dolley Payne Madison
Abigail S. Adams	Rosa Parks
William Henry Harrison	Dwight D. Eisenhower
Write-in	Write-in
Englewood Fire District Commissioner	Water District 12 Commissioner
Wing Luke	James Monroe
Thurgood Marshall	Elisha P. Ferry
Sacagawea	Clara Barton
Write-in	Write-in

Rule A, Example 3b

All choices marked are valid votes.

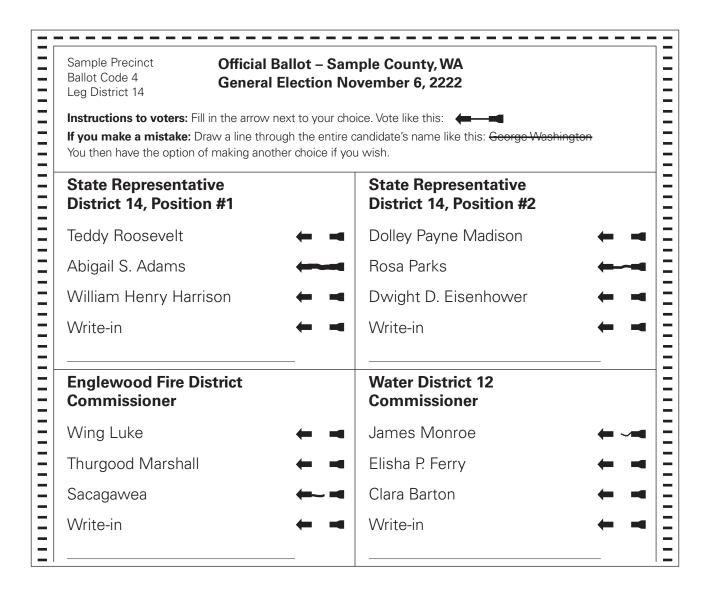
In this example, the marks made on this ballot get smaller with each race, an implication of 'voter fatigue'. All marks are in the target area and are valid votes.

Sample Precinct Ballot Code 4 Leg District 14	Official Ballot – Sam General Election No	-	
If you make a mistake	: Fill in the square next to your ch e: Draw a line through the entire on on of making another choice if you	candidate's name like this: George Washington	
•	oresentative 4, Position #1	State Representative District 14, Position #2	
Teddy Roo	osevelt	Dolley Payne Madison	
Abigail S.	Adams	Rosa Parks	
William H	enry Harrison	Dwight D. Eisenhower	
Write-in		Write-in	
Englewoo Commiss	od Fire District ioner	Water District 12 Commissioner	
Wing Luke	е	James Monroe	
Thurgood	Marshall	Elisha P. Ferry	
Sacagawe	ea	Clara Barton	
Write-in		Write-in	

Rule A, Example 3c

All choices marked are valid votes.

In this example, the marks made on this ballot get smaller with each race, an implication of 'voter fatigue'. All marks are in the target area and are valid votes.



Rule A, Example 4a-c

The vote for Teddy Roosevelt in Example 4a is the valid vote; the race is not an overvote.

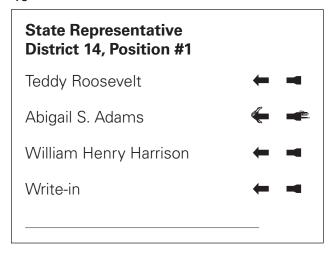
In the following examples from different ballots, marks that trace a target area are not valid and only the vote for Roosevelt in Example 4a will count. Marks that trace or outline a target area will not count unless they fulfill the pattern requirements of Rule B.

4a



4b





Target Area

Rule A, Example 4a-c Rule A, Exception 1 Obvious Stray Marks

Rule A, Exception 1, Example 1a

Only the marks for Teddy Roosevelt and Rosa Parks are valid votes.

In this example, the mark near Sacagawea's name is a stray mark and will not count as a valid vote, even though it is in the target area of a candidate.

Sample Precinct Ballot Code 4 Leg District 14 Instructions to voters: Fill in the oval next to your choice If you make a mistake: Draw a line through the entire of You then have the option of making another choice if you	e. Vote like this: candidate's name like this: George Washington
State Representative District 14, Position #1	State Representative District 14, Position #2
Teddy Roosevelt	Oolley Payne Madison
Abigail S. Adams	Rosa Parks
William Henry Harrison	Dwight D. Eisenhower
Write-in	Write-in
Englewood Fire District Commissioner	Water District 12 Commissioner
Wing Luke	James Monroe
Thurgood Marshall	Elisha P. Ferry
Sacagawea	Clara Barton
Write-in	Write-in

Rule A, Exception 1, Example 1b

Only the marks for Abigail S. Adams and Dolley Payne Madison are valid votes.

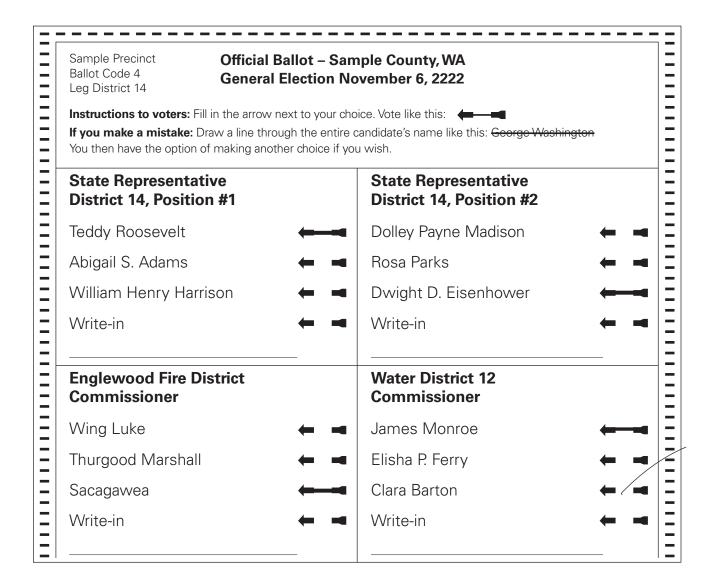
In this example, the mark near Elisha P. Ferry's name is a stray mark and will not count as a valid vote, even though it is in the target area of a candidate.

Instructions to voters: Fill in the square next to your choice. Vote like this: If you make a mistake: Draw a line through the entire candidate's name like this: George Washington You then have the option of making another choice if you wish. State Representative District 14, Position #1 Teddy Roosevelt Dolley Payne Madison Abigail S. Adams Rosa Parks William Henry Harrison Write-in Englewood Fire District Commissioner Water District 12 Commissioner Water District 12 Commissioner Elisha P. Ferry Sacagawea Clara Barton	Sample Precinct Ballot Code 4 Leg District 14	Official Ballot – Sa General Election N	
District 14, Position #1 Teddy Roosevelt Abigail S. Adams William Henry Harrison Write-in Englewood Fire District Commissioner Wing Luke Thurgood Marshall District 14, Position #2 Dolley Payne Madison Rosa Parks Dwight D. Eisenhower Write-in Water District 12 Commissioner Elisha P. Ferry	If you make a mistal	ke: Draw a line through the entire	candidate's name like this: George Washington
Abigail S. Adams William Henry Harrison Write-in Englewood Fire District Commissioner Wing Luke Thurgood Marshall Rosa Parks Dwight D. Eisenhower Write-in Water District 12 Commissioner Under District 12 Commissioner Elisha P. Ferry		-	
William Henry Harrison Write-in Englewood Fire District Commissioner Wing Luke Thurgood Marshall Dwight D. Eisenhower Water District 12 Commissioner Under District 12 Commissioner Elisha P. Ferry	Teddy Ro	posevelt	Dolley Payne Madison
Write-in Englewood Fire District Commissioner Water District 12 Commissioner Wing Luke James Monroe Elisha P. Ferry	Abigail S	. Adams	Rosa Parks
Englewood Fire District Commissioner Water District 12 Commissioner Wing Luke James Monroe Elisha P. Ferry	William H	Henry Harrison	Dwight D. Eisenhower
Commissioner Wing Luke James Monroe Thurgood Marshall Elisha P. Ferry	Write-in		Write-in
Thurgood Marshall Elisha P. Ferry			
	Wing Lul	<e< td=""><td>James Monroe</td></e<>	James Monroe
Sacagawea Clara Barton	Thurgood	d Marshall	Elisha P. Ferry
	Sacagaw	rea	Clara Barton
Write-in Write-in	Write-in		Write-in

Rule A, Exception 1, Example 1c

The mark through the target area of Clara Barton is not a valid vote. All other choices marked are valid votes.

In this example, the mark in Clara Barton's target area is a stray mark and will not count. The vote for James Monroe is a valid vote.

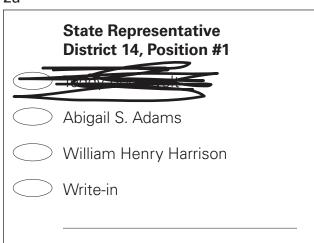


Rule A, Exception 1, Examples 2a-c

No marks are valid votes.

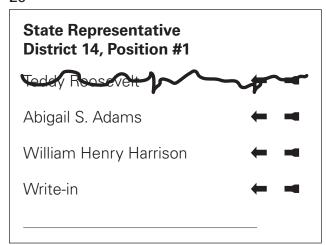
In the following examples from different ballots, the voters have stricken a candidate's name and it extends into the target area. These are stray marks and will not count as valid votes, unless the voter marked only one race or measure.





2b





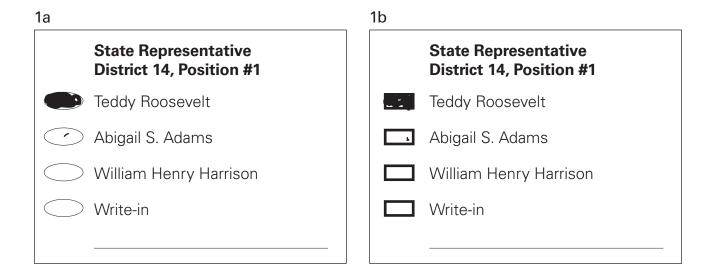
Target Area

Rule A, Exceptions 1, 2 Obvious Stray Marks Hesitation Marks

Rule A, Exception 2, Examples 1a-c

The vote for Teddy Roosevelt is the valid vote.

In the following examples from different ballots, the marks in the target area of Abigail S. Adams are hesitation marks and do not count as valid votes. Marks made in the same race for Teddy Roosevelt are the clear choice. These races are not overvoted.



State Representative District 14, Position #1	
Teddy Roosevelt	-
Abigail S. Adams	← ◄
William Henry Harrison	← ◄
Write-in	← →

Rule A, Exception 2, Examples 2a-c

The vote for Teddy Roosevelt is the valid vote.

In the following examples from different ballots, the marks in the target area of Abigail S. Adams are hesitation marks and do not count as valid votes. Marks made in the same race for Teddy Roosevelt are the clear choice. These races are not overvoted.







Rule A, Exception 2, Examples 3a-c

The vote for Teddy Roosevelt is the valid vote.

In the following examples from different ballots, the marks in the target area of Abigail S. Adams are hesitation marks and do not count as valid votes. Marks made in the same race for Teddy Roosevelt are the clear choice. These races are not overvoted.

State Representative
District 14, Position #1

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in

State Representative
District 14, Position #1

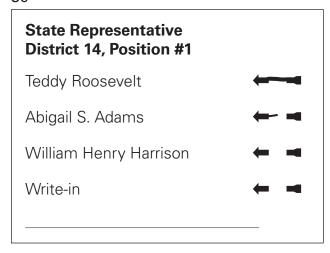
Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in

3с



Rule A, Exception 3, Example 1a

No marks are valid votes.

In this example, the marks that extend into the target areas are parts of written notes on the ballot. None of the marks will count as votes.

Sample Precinct Ballot Code 4 Leg District 14 Official Ballot – Sample County, WA General Election November 6, 2222			
If you make a mistake	: Fill in the oval next to your e: Draw a line through the e on of making another choice	entire candidate's name like this: George Washington	
-	oresentative h 5 4, Position #1	State Representative District 14, Position #2 Delley Payne Madison	
Teddy Roc	osevelt at each	Charles Payne Madison	
Abigail S. A	Adams	Rosa Parks	
William He	enry Harrison	Dwight D. Eisenhower	
Write-in		Write-in	
Englewoo Commiss	od Fire District	Water District 12 Commissioner James Monroe Flisha P Ferry	
Wing Luke	9	ames Monroe	
Thurgood	Marshall \\\O	Elisha P. Ferry	
Sacagawe	ea /	Clara Barton	
Write-in		Write-in	

Target Area

Rule A, Exception 3
Parts of Written Notes

Rule A, Exception 3, Example 1b

No marks are valid votes.

In this example, the marks that extend into the target areas are parts of written notes on the ballot. None of the marks will count as votes.

	Official Ballot – Sam General Election No	
Instructions to voters: Fill in the square next to your choice. Vote like this: If you make a mistake: Draw a line through the entire candidate's name like this: George Washington You then have the option of making another choice if you wish.		
State Represent District 14, Pos		State Representative District 14, Position #2
Abigail S. Adam		Anosa Parks WTY
	Harrison	Dwight D. EisenhowerWrite-in
Englewood Fire Commissioner	e District	Water District 12
Wing LukeThurgood Marsh	nall	James Monroe Elisha P. Ferry
Sacagawea Write-in		Clara Barton Write-in

Rule A, Exception 3, Example 1c

No marks are valid votes.

In this example, the marks that extend into the target areas are parts of written notes on the ballot and will not count as valid votes.

Sample Precinct Ballot Code 4 Leg District 14		ample County, WA November 6, 2222	
If you make a mistake	Fill in the arrow next to your or Traw a line through the enting on of making another choice if	re candidate's name like this: George Washington	
State Represent District 14, Posit	ion #1	State Representative District 14, Position #2	
Teddy Roosevelt Abigail S. Adams	Election Lank to	Dolle Payine Madison Rosa Parks Le ba	
William Henry H Write-in	arrison to	Dwight D. Eisenhower Write-in	•
Engle Fire	osetes	Water District 12	
Commissioner Wing Luke	this to	Clara Datas	•
Thurgood Marsha	all 👉 =	Elisha P. Ferr	4
Sacagawea	← →	Clara Darton	•
Write-in	← =	Write-in \leftarrow	•

Target Area

Rule A, Exception 3
Parts of Written Notes

End of Rule A. Please turn page for Rule B.

Rule B Pattern of Similar Marks

Marks made outside of the target area shall be counted as valid votes as long as those marks form a pattern of similar marks. All races and issues for which the voter has indicated a choice outside the target area must have a similar mark.

Marks made outside of the target area may be counted as valid votes even if one pattern of similar marks is used on one page (side) of the ballot and another pattern of similar marks is used on another page of the ballot.

Marks made outside of the target area shall be counted as valid votes if one pattern of similar marks is used for measures and another pattern of similar marks is used for candidate races.

If some marks are in the target area and some are not, but the same **type** of mark is used, all such marks shall be counted as valid votes.

If the marks strike through candidate names or ballot measure responses in a pattern of similar marks throughout the ballot, all such marks shall be counted as valid votes.

A mark outside the target area on a ballot that contains only one race or measure is not required to form a pattern.

Pattern of Similar Marks

Rule B

Rule B, One Mark on a Ballot

One Mark on a Ballot

When a voter returns a ballot having marked only one race or measure, the act of returning a ballot indicates the voter wished to cast a vote in that race or measure. Because a pattern cannot be established when a voter marks only one race or measure, marks made on a single race or measure must be considered a vote if the voter's intent can be determined.

Rule B, Example 1a

All choices marked are valid votes.

While the voter made marks outside the target area, these marks form a pattern of similar marks and count as valid votes.

•	Sample County, WA n November 6, 2222
Instructions to voters: Fill in the oval next to your If you make a mistake: Draw a line through the end You then have the option of making another choice	ntire candidate's name like this: George Washington
State Representative District 14, Position #1	State Representative District 14, Position #2
Teddy Roosevelt	Oolley Payne Madison
Abigail S. Adams	Rosa Parks
William Henry Harrison	Dwight D. Eisenhower
Write-in	Write-in
Englewood Fire District Commissioner	Water District 12 Commissioner
Wing Luke	James Monroe
Thurgood Marshall	Elisha P. Ferry
Sacagawea	Clara Barton
Write-in	Write-in

Rule B, Example 1b

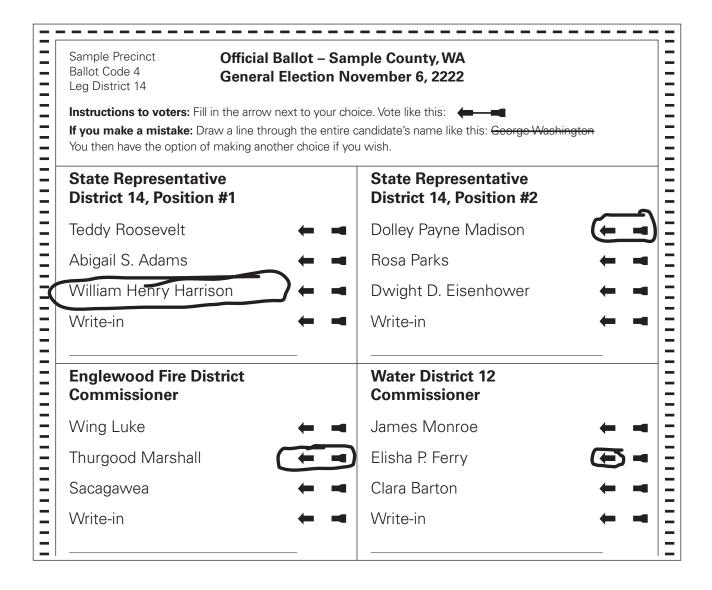
All choices marked are valid votes.

While the voter made marks outside the target area, these marks form a pattern of similar marks and count as valid votes.

Sample Precinct Ballot Code 4 Leg District 14	Official Ballot - Sample County, WA General Election November 6, 2222		
If you make a mistake	: Fill in the square next to your c e: Draw a line through the entire on of making another choice if you	candidate's name like this: George Washington	
-	presentative 1, Position #1	State Representative District 14, Position #2	
Teddy Roosevelt (States No Party Preference)		Dolley Payne Madison (Prefers Republican Party)	
Abigail S., (Prefers Repub		Rosa Parks (Prefers Democratic Party)	
	enry Harrison	Dwight D. Eisenhower (States No Party Preference)	
Write-in		Write-in	
County C	ommissioner	County Treasurer District 1	
Wing Luke Prefers Democ		James Monroe (Prefers Democratic Party)	
Thurgood (Prefers Repub	Marshall	Elisha P. Ferry (Prefers Republican Party)	
Sacagawe (States No Part		Clara Barton (States No Party Preference)	
Write-in		Write-in	

Rule B, Example 2a

All choices marked are valid votes.



Rule B, Example 2b

All choices marked are valid votes.

Sample Precinct Ballot Code 4 Leg District 14	Official Ballot – Sample County, WA General Election November 6, 2222		
lf you make a mistake:	Fill in the oval next to your cho Draw a line through the entire on of making another choice if you	e candidate's name like this: George Washington	
•	resentative , Position #1	State Representative District 14, Position #2	
Teddy Roosevelt		Oolley Payne Madison	
Abigail S. Adams		Rosa Parks	
William He	enry Harrison	Dwight D. Eisenhower	
Write-in		Write-in	
Englewoo Commissi	d Fire District oner	Water District 12 Commissioner	
Wing Luke		James Monroe	
Thurgood Marshall		Elisha P. Ferry	
Sacagawea	а	Clara Barton	
Write-in		Write-in	

Rule B, Example 2c

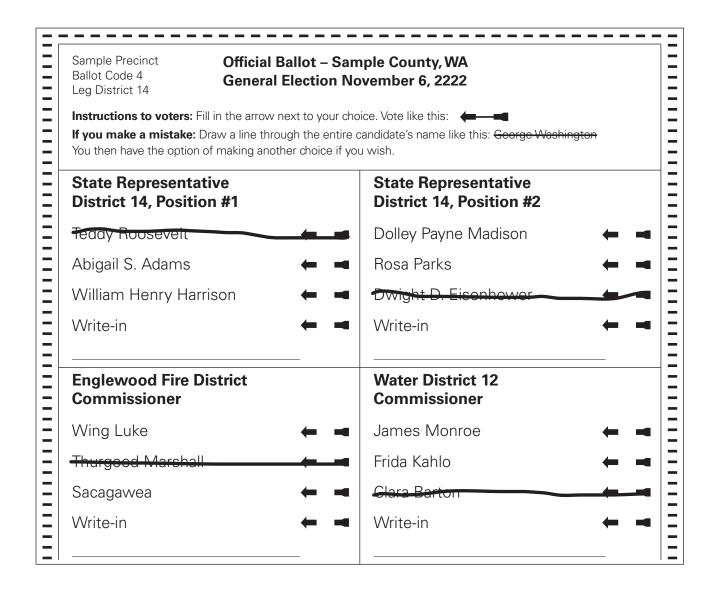
All choices marked are valid votes.

Sample Precinct Ballot Code 4 Leg District 14	lot Code 4 General Flection November 6, 2222			
If you make a mistake:	ill in the square next to your co Draw a line through the entire of making another choice if yo	candidate's name like this: George Washington		
State Representation District 14,	esentative Position #1	State Representative District 14, Position #2		
Teddy Roosevelt		Dolley Payne Madison		
Abigail S. Adams		Rosa Parks		
William Henry Harrison		Dwight D. Eisenhower		
Write-in		Write-in		
Englewood Commissio	I Fire District	Water District 12 Commissioner		
Wing Luke		James Monroe		
Thurgood Marshall		Elisha P. Ferry		
Sacagawea		Clara Barton		
Write-in		Write-in		

Rule B, Example 2d

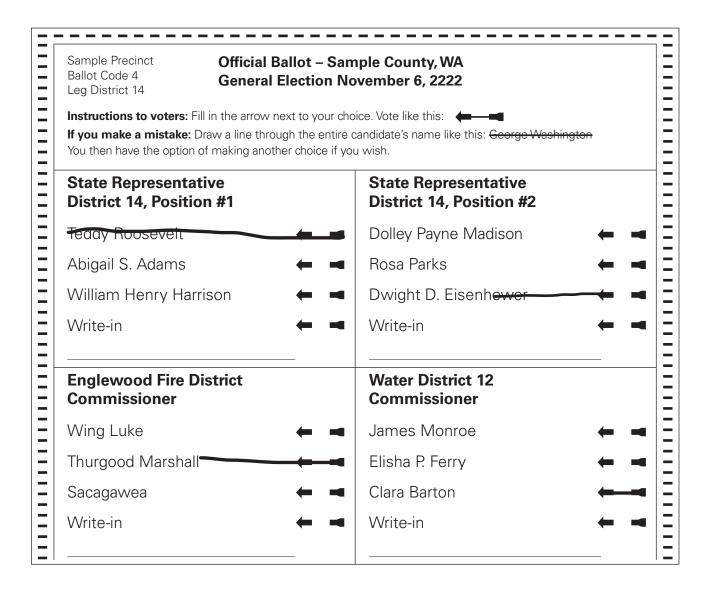
All choices marked are valid votes.

In this example, the voter formed a pattern of similar marks throughout the ballot. Because the marks are the same **type** of mark for each race, all votes on this ballot count as valid votes.



Rule B, Example 2e

All choices marked are valid votes.



Rule B, Example 3a

Only the vote for Thurgood Marshall is valid.

In this example, one choice is marked in the target area and more marks are made outside the target area. Together, these marks do not form a pattern of similar marks. Only the vote for Marshall counts as a valid vote, because it is marked in the target area.

	Sample County, WA on November 6, 2222
Instructions to voters: Fill in the oval next to your If you make a mistake: Draw a line through the export the next the option of making another choice.	entire candidate's name like this: George Washington
State Representative District 14, Position #1	State Representative District 14, Position #2
Teddy Roosevelt	Dolley Payne Madison
Abigail S. Adams	Rosa Parks
William Henry Harrison	Dwight D. Eisenhower
Write-in	Write-in
Englewood Fire District Commissioner	Water District 12 Commissioner
Wing Luke	James Monroe
Thurgood Marshall	Elisha P. Ferry
Sacagawea	Clara Barton
Write-in	Write-in

Rule B, Example 3b

Only the vote for Thurgood Marshall is valid.

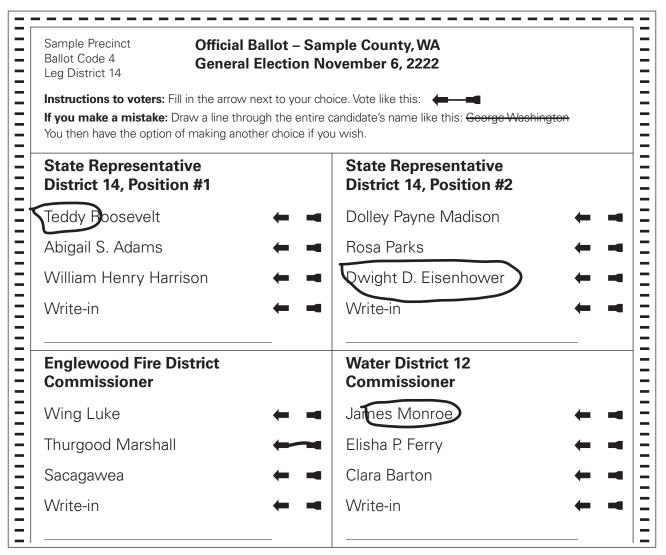
In this example, one choice is marked in the target area and other types of marks are made outside the target area. Together, these marks do not form a pattern of similar marks. Only the vote for Marshall counts as a valid vote, because it is marked in the target area.

Sample Precinct Ballot Code 4 Leg District 14 Instructions to voters: Fill in the square next to your If you make a mistake: Draw a line through the entire You then have the option of making another choice if your	choice. Vote like this: e candidate's name like this: George Washington
State Representative District 14, Position #1	State Representative District 14, Position #2
☐ Teddy Roosevelt ✓	Dolley Payne Madison
Abigail S. Adams	Rosa Parks
William Henry Harrison	Dwight D. Eisenhower
Write-in	Write-in
Englewood Fire District Commissioner	Water District 12 Commissioner
Wing Luke	James Monroe
Thurgood Marshall	Elisha P. Ferry
Sacagawea	Clara Barton
Write-in	Write-in

Rule B, Example 3c

Only the vote for Thurgood Marshall is valid.

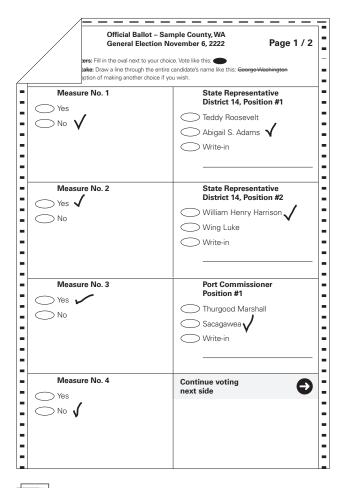
In this example, one choice is marked in the target area and other types of marks are made outside the target area. Together, these marks do not form a pattern of similar marks. Only the vote for Marshall counts as a valid vote, because it is marked in the target area.

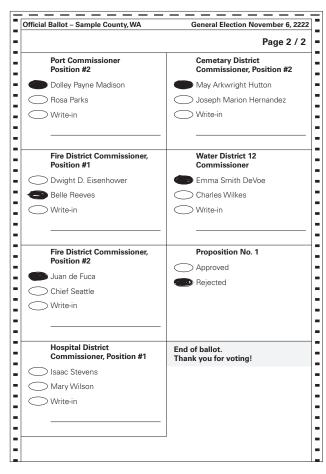


Rule B, Example 4a

All choices marked are valid votes.

In this example, all choices marked by the voter form a pattern of similar marks. While some marks are made outside the target area, the marks form one pattern of similar marks on the front of the ballot and another pattern of similar marks on the back.

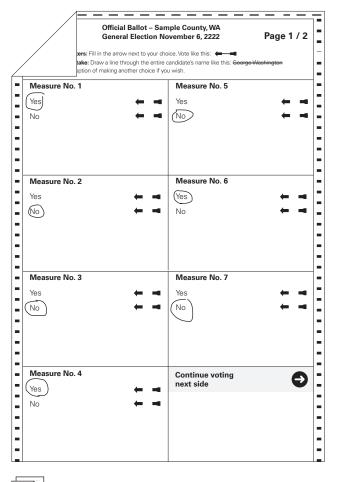


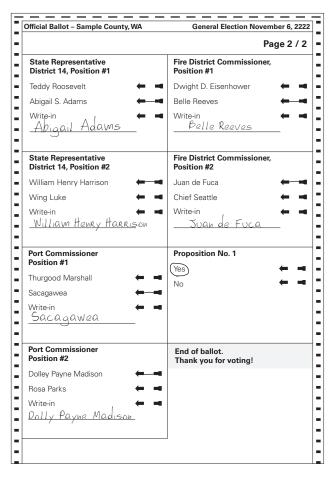


Rule B, Example 4b

All choices marked are valid votes.

In this example, all choices marked by the voter form a pattern of similar marks. While some marks are made outside the target area, the marks form one pattern of similar marks for measures and another pattern of similar marks for candidate races.





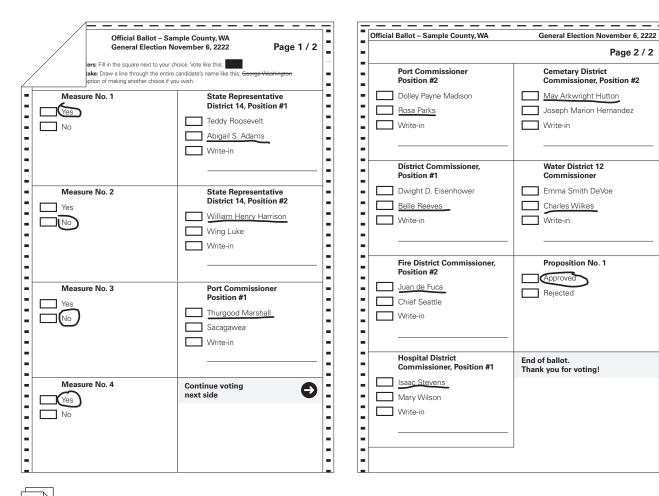
Rule B, Example 4c

All choices marked are valid votes.

In this example, all choices marked by the voter form a pattern of similar marks. While some marks are made outside the target area, the marks form one pattern of similar marks for measures and another pattern of similar marks for candidate races.

=

-



Pattern of Similar Marks

Rule B, Example 4c Rule B, One Mark on a Ballot

Rule B, One Mark on a Ballot, Examples 1a-d

1a

Each example shows one mark on a ballot and a valid vote for 'Yes.'

In the following examples from different ballots, the voters marked only **one race or measure** and a pattern cannot be established. Marks made on a single race or measure must be considered a vote if the voter's intent can be determined.

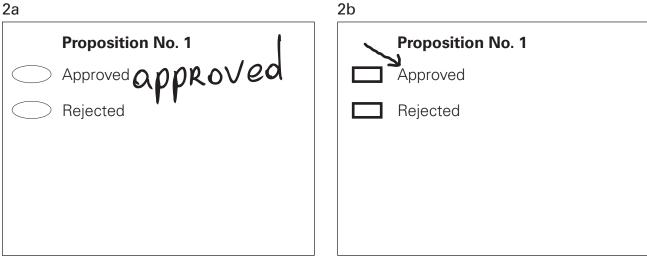
1b

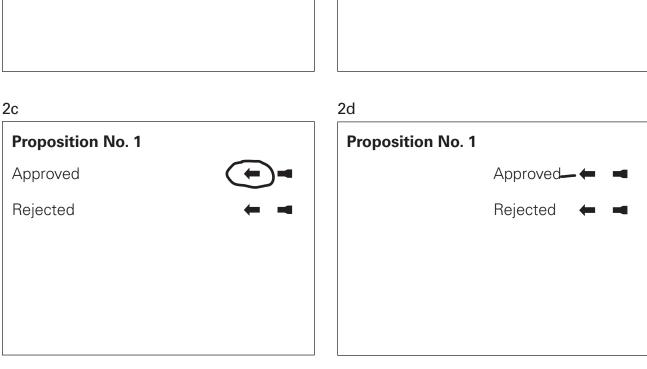
Proposition No. 1 Yes No	Proposition No. 1 Yes No
Proposition No. 1 Yes Jrang haywar No	Proposition No. 1 No No

Rule B, One Mark on a Ballot, Examples 2a-d

Each example shows one mark on a ballot and a valid vote for 'Approved.'

In the following examples from different ballots, the voters marked only **one race or measure** and a pattern cannot be established. Marks made on a single race or measure must be considered a vote if the voter's intent can be determined.





Rule B, One Mark on a Ballot

Rule B, One Mark on a Ballot, Examples 3a-d

Each example shows one mark on a ballot and a valid vote for Teddy Roosevelt.

In the following examples from different ballots, the voters marked only **one race or measure** and a pattern cannot be established. Marks made on a single race or measure must be considered a vote if the voter's intent can be determined.

State Representative District 14, Position #1	State Representative District 14, Position #1
Teddy Roosevelt	☐ Teddy Roosevelt yes
Abigail S. Adams	Abigail S. Adams
William Henry Harrison	William Henry Harrison
Write-in	☐ Write-in

3h

State Representative
District 14, Position #1

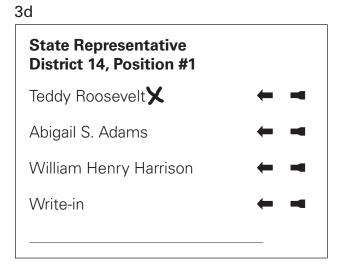
Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in

За



Rule B, One Mark on a Ballot, Examples 4a-c

Each example shows one mark on a ballot and a valid vote for the choice marked.

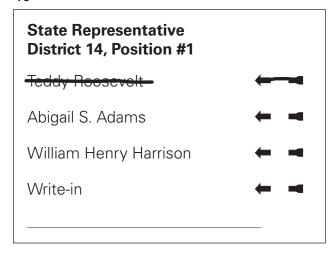
In the following examples from different ballots, the voters marked only **one race or measure** and a pattern cannot be established. Marks made on a single race or measure must be considered a vote if the voter's intent can be determined. If the mark is not the only mark on a single race or measure, see Rule C, Corrected Votes.

4a

State Representative District 14, Position #1 Teddy Roosevelt Abigail S. Adams William Henry Harrison Write-in

4b





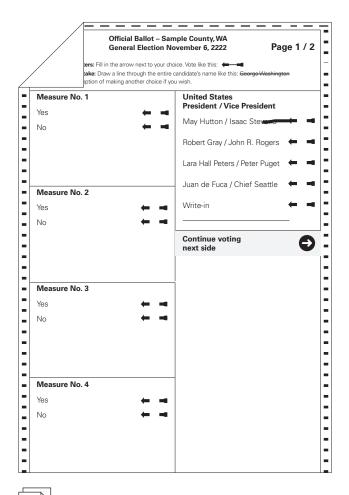
Pattern of Similar Marks

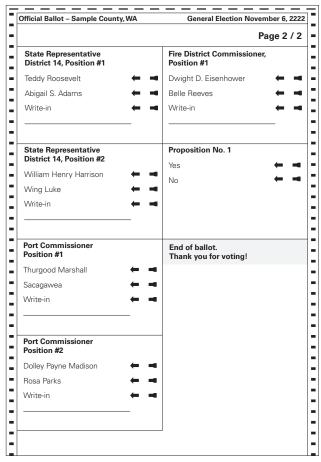
Rule B, One Mark on a Ballot

Rule B, One Mark on a Ballot, Example 5

The only mark on the ballot is a valid vote for May Hutton / Isaac Stevens.

In the following example, the voter marked only **one race or measure** and a pattern cannot be established. Marks made on a single race or measure must be considered a vote if the voter's intent can be determined. See also Rule E, Written Instructions.





Rule C Corrected Votes

If the voter has followed the instructions for correcting a vote, the stricken vote shall not be counted.

If a second choice is marked, it shall be counted as a valid vote. If a second choice is not marked, the race shall be considered undervoted.

If the voter has marked two target areas and placed an 'X' or slash over one of the marked areas, the choice without the 'X' or slash shall be counted as a valid vote.

Rule C, Examples 1a-c

The vote for William Henry Harrison is the valid vote.

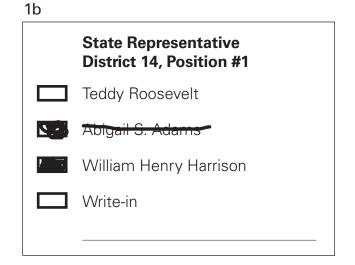
In the following examples from different ballots, the voters followed instructions for correcting a vote.

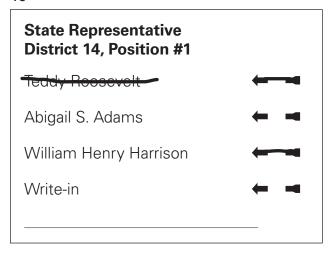
State Representative
District 14, Position #1

Abigail S. Adams

William Henry Harrison

Write-in



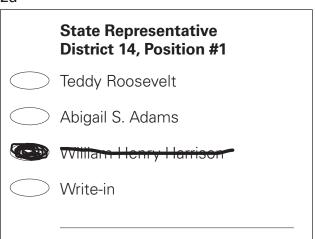


Rule C, Examples 2a-c

Each example shows a correction. Unless the voter marked only one race or measure, these marks are not valid votes. When a voter marks more than one race or measure on a ballot, a correction does not count as a valid vote.

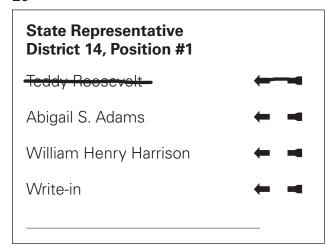
In the following examples from different ballots, the voters followed instructions for correcting a vote. If the voter marked a line through each race or measure throughout the ballot, see Rule B, Pattern of Similar Marks.

2a



2b





Rule C, Examples 3a-c

The vote for William Henry Harrison is the valid vote.

In the following examples from different ballots, the voters marked two target areas **and** also placed an 'X' over one of the marked areas. The choice without the 'X' is the valid vote.

State Representative
District 14, Position #1

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in

State Representative
District 14, Position #1

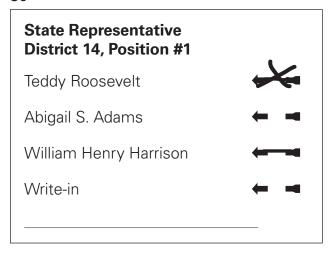
Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in

3с



Rule C, Examples 4a-c

The vote for Abigail S. Adams is the valid vote.

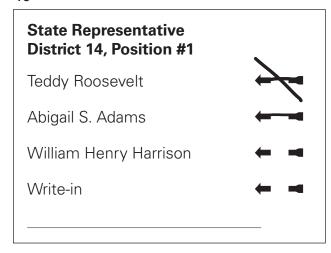
In the following examples from different ballots, the voter marked two target areas and also placed a slash over one of the marked areas. The choice without the slash is the valid vote.





4b





Rule C

End of Rule C. Please turn page for Rule D.

Rule D Not a Correction

If the voter has both marked a choice correctly **and** placed an 'X' in the same target area, but has not marked a second target area, it shall be counted as a valid vote.

Changes made by the voter to wording printed on the ballot will not invalidate votes cast for that race or measure.

Rule D, Examples 1a-d

The following examples from different ballots are valid votes for William Henry Harrison.

State Representative District 14, Position #1 Teddy Roosevelt Abigail S. Adams William Henry Harrison Write-in 1b State Representative District 14, Position #1 Teddy Roosevelt Abigail S. Adams William Henry Harrison Write-in

1c

State Representative District 14, Position #1	
Teddy Roosevelt	← →
Abigail S. Adams	← →
William Henry Harrison	X
Write-in	← -

State Representative
District 14, Position #1

Teddy Roosevelt
(States No Party Preference)

Abigail S. Adams
(Prefers Republican Party)

William Henry Harrison
(Prefers Democratio Party)

Write-in

Rule D, Example 2

The following ballot contains a valid vote for the proposition.

The voter has both marked a choice correctly **and** placed an 'X' in the same target area, however, the voter has not marked a second target area. Changes made to wording on the ballot will not invalidate the vote.

Sample Precinct
Ballot Code 4
Leg District 14

Official Ballot - Sample County, WA
General Election November 6, 2222

Instructions to voters: Fill in the oval next to your choice. Vote like this:

If you make a mistake: Draw a line through the entire candidate's name like this: George Washington You then have the option of making another choice if you wish.

Proposition No. 1 City of Angles School District Capital Projects Technology Levy

The Board of Directors of the City of Angles School District No. 1235 adopted
Resolution No. 12345-11 concerning a proposition to finance educational technology
equipment improvements within the District. If passed, Proposition No. 1 would
authorize the District to levy the following excess taxes upon all taxable property
within the District in order to acquire, install and provide training in connection with
educational technology equipment-improvements:

Should this proposition be approved?

Levy Collection Years	Approximate Levy Rate per \$1,000 of Assessed Value	Levy Amount
2008 / 2009	\$0.46	\$1,635,700
2009 / 2010	\$0.44	\$1,643,248
2010 / 2011	\$0.41	\$1,643,171
2011 / 2012	\$0.39	\$1,642,972

Should Proposition No. 1 be approved or rejected?



Rule D

End of Rule D. Please turn page for Rule E.

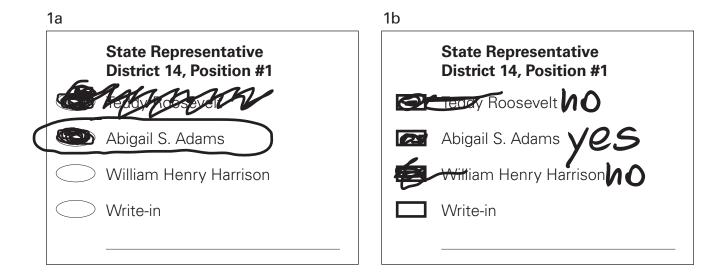
Rule E Written Instructions

If the voter has attempted to vote or correct a vote by providing written instruction regarding his or her intent, it shall be counted as the voter instructed. Written instructions can include words, circles, lines, or arrows.

Rule E, Examples 1a-c

The vote for Abigail S. Adams is the valid vote.

Written instructions, including words, circles, lines, or arrows may be used to determine voter intent. In each example, the voter attempted to vote or correct a vote and provided written instructions.



State Representative
District 14, Position #1

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in

Rule F Identifying Marks

Marks identifying the voter, such as initials, signatures, or addresses, do not disqualify a ballot.

Rule F, Example 1a

The ballot must be accepted.

The following example contains a legible signature, but it will **not** disqualify the ballot.

•	Official Ballot – Sample County, WA General Election November 6, 2222 ers: Fill in the oval next to your choice. Vote like this:			
Instructions to voters: Fill in th If you make a mistake: Draw a You then have the option of mak	a line through the entire	candidate's	this: name like this	s: Godrge Washington
State Represen District 14, Posi				epresentative 14, Position #2
Teddy Roosevelt	[Dolley Pa	ayne Madison
Abigail S. Adams			Rosa Par	ks
William Henry Harrison			Dwight [D. Eisenhower
Write-in			Write-in	
Englewood Fire Commissioner	District		Water D Commis	istrict 12 sioner
Wing Luke			James M	1onroe
Thurgood Marsh	nall		Elisha P.	Ferry
Sacagawea			Clara Bar	rton
Write-in			Write-in	

Rule F, Example 2a

The ballot must be accepted.

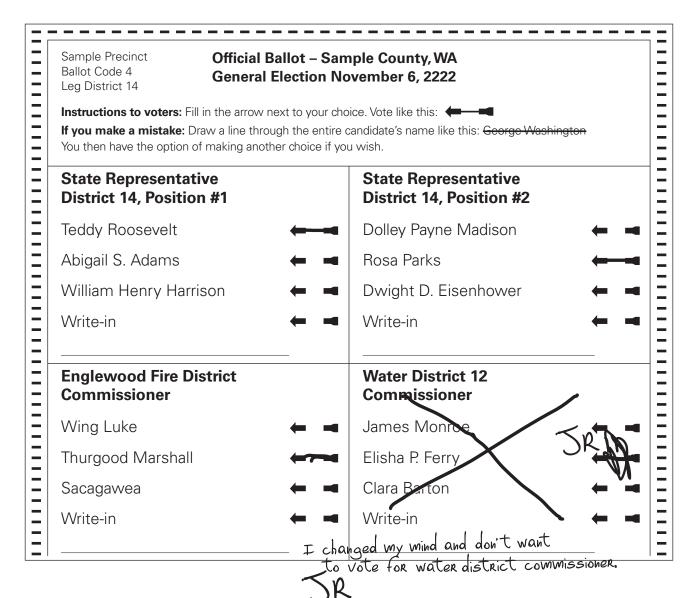
In this example, the voter has placed an address sticker or stamp on the ballot. This will **not** disqualify the ballot.

	General Election November 6, 2222		
You then have John Smith 3405 Cascade St. NE	choice. Vote like this: George Washington ou wish.		
Sta Lewistown, USA Dis Losition #1	State Representative District 14, Position #2		
Teddy Roosevelt	Dolley Payne Madison		
Abigail S. Adams	Rosa Parks		
William Henry Harrison	Dwight D. Eisenhower		
Write-in	Write-in		
Englewood Fire District Commissioner	Water District 12 Commissioner		
Wing Luke	James Monroe		
Thurgood Marshall	Elisha P. Ferry		
Sacagawea	Clara Barton		
Write-in	Write-in		

Rule F, Example 3a

The ballot must be accepted.

The following example has initials on its face. This will **not** disqualify the ballot.



Rule G Overvotes

Races or issues that have more target areas marked than are allowed are overvotes. No votes for that race or issue shall be counted.

Exception to Rule G:

Write-in votes for a candidate already printed on the ballot. (See Rule I)

Rule G, Examples 1a-c

These are not valid votes for any candidate.

The following examples from different ballots have more target areas marked than are allowed. These are tallied as overvotes, not valid votes for any candidate.

State Representative
District 14, Position #1

Teddy Roosevelt

Abigail S. Adams

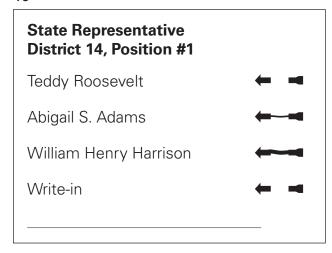
William Henry Harrison

Write-in

Teddy Roosevelt

Write-in

Write-in



Rule H Write-in: Blank Target Area

If a name is written on a write-in line, it shall be counted as a valid write-in vote regardless of whether the corresponding target area is marked.

Rule H

Rule H, Examples 1a-c

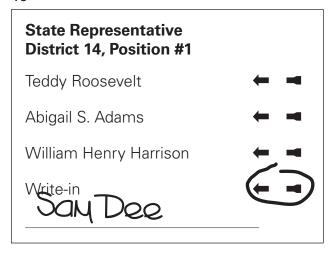
All of the following examples are valid votes for Sam Dee.

1a

State Representative District 14, Position #1
Teddy Roosevelt
Abigail S. Adams
William Henry Harrison
Write-in Say Dee

1b





Rule I Write-in: Already on the Ballot

If the name of a candidate who is already printed on the ballot is written in, that vote shall not be tallied as an overvote, but shall be counted as a valid vote for the printed candidate. This applies even if both target areas are marked or no target areas are marked.

Rule I, Examples 1a-d

1a

All of the following examples are valid votes for Abigail S. Adams.

State Representative District 14, Position #1	State Representative District 14, Position #1
Teddy Roosevelt	Teddy Roosevelt
Abigail S. Adams	Abigail S. Adams
William Henry Harrison	William Henry Harrison
Write-in Abigail S. Adams	Write-in Abigail S. Adams
1c	1d
State Representative District 14, Position #1	State Representative District 14, Position #1
Teddy Roosevelt ← ■	Teddy Roosevelt
Abigail S. Adams	Abigail S. Adams
William Henry Harrison 🖛 🗖	William Henry Harrison
Write-in Abiacil S. Adams	Write-in Abigail S. Adams

1b

Rule J Write-in: Name Variations

If a write-in vote is cast for a **declared** write-in candidate using a commonly recognizable nickname or spelling variation, it shall be counted as a valid vote for that candidate.

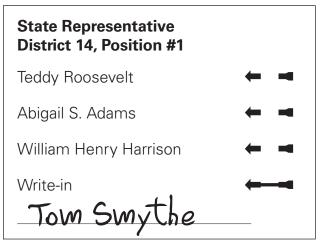
Rule J, Examples 1a-d

All of the following examples are valid votes for the declared write-in candidate Thomas Smith.

Name variations may also be considered for undeclared write-in candidates when the Canvassing Board can determine the voter's intent. See References, RCW 29A.60.021(1) and WAC 434-262-160(1).

1d

1a **State Representative District 14, Position #1** Teddy Roosevelt Abigail S. Adams William Henry Harrison Write-in Tomas Smith 1b **State Representative District 14, Position #1** Teddy Roosevelt Abigail S. Adams William Henry Harrison Write-in Tommy Smith



	State Representative District 14, Position #1
	Teddy Roosevelt
	Abigail S. Adams
	William Henry Harrison
3	Write-in Thom Smith

Rule K Write-in: Blank Line

If the write-in target area is marked, but no name is written on the line, it shall not be counted as a valid vote, even though it **may** be tallied as a write-in vote by the tabulation system.

Rule K, Examples 1a-d

The following marks are not valid votes and will not count for any candidates.

State Representative
District 14, Position #1

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in

Teddy Roosevelt

Write-in

State Representative
District 14, Position #1

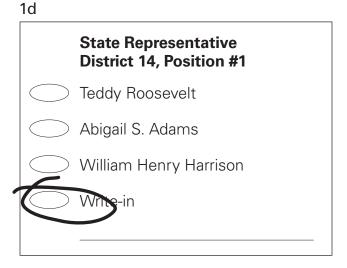
Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

1c

Write-in



Rule L Write-in: Blank Line and Candidate

If a candidate's target area is marked, **and** the write-in target area is marked but no name is written on the line, it shall not be tallied as an overvote, but shall be counted as a valid vote for the printed candidate.

Rule L, Examples 1a-d

The following marks are valid votes for William Henry Harrison.

In each example, the race is not considered an overvote because a candidate's target area is marked, **and** no name is written on the write-in line.

State Representative
District 14, Position #1

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in

1c

State Representative
District 14, Position #1

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in



Rule M Write-in: Name Combinations

If a write-in vote is cast for a candidate with a combination of names already on the ballot, it shall **not** be counted as a vote for either printed candidate. Instead, it shall be counted as a valid vote for the name written.

Rule M

Rule M, Examples 1a, 1b

The following marks are valid votes for Teddy Adams.

1a

State Representative District 14, Position #1	
Teddy Roosevelt	
Abigail S. Adams	
William Henry Harrison	
Write-in Jeddy Adams	

1b

State Representative District 14, Position #1
Teddy Roosevelt
Abigail S. Adams
William Henry Harrison
Write-in
Teddy Adams

Rule M, Examples 1c, 1d

The following marks are valid votes for Bill Roosevelt.

1c

State Representative District 14, Position #1	
Teddy Roosevelt	← →
Abigail S. Adams	← →
William Henry Harrison	← ◄
Write-in Roosevelt	← -

Iu	
	State Representative District 14, Position #1
	Teddy Roosevelt
	Abigail S. Adams
	William Henry Harrison
	Write-in Bill Roosevelt

Rule N Write-in: Overvotes

If a candidate's target area is marked and something other than that candidate's name is written in the write-in response area, it shall be counted as an overvote and not a valid vote for any candidate. This applies whether or not the target area for the write-in is marked.

Rule N, Examples 1a-d

The following marks are tallied as overvotes, and not valid votes for any candidate.

State Representative
District 14, Position #1

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in
Jose Martinez

State Representative
District 14, Position #1

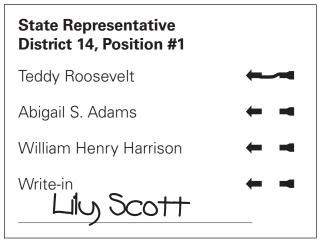
Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in
Chen Zhi

1c



State Representative
District 14, Position #1

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in

John Pearson

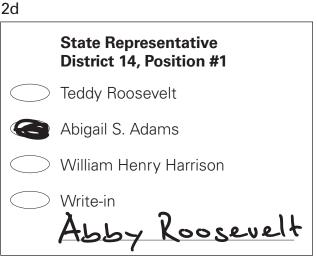
Rule N, Examples 2a-d

The following marks are tallied as overvotes, and not valid votes for any candidate.

2a **State Representative District 14, Position #1** Teddy Roosevelt Abigail S. Adams William Henry Harrison Write-in toby Roosevelt 2b **State Representative District 14, Position #1** Teddy Roosevelt Abigail S. Adams William Henry Harrison Write-in Abby Roosevelt

2c





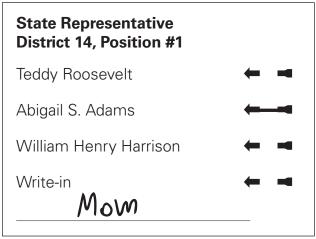
Rule N, Examples 3a-d

The following marks are tallied as overvotes, and not valid votes for any candidate.

3a **State Representative District 14, Position #1** Teddy Roosevelt Abigail S. Adams William Henry Harrison Write-in

3b **State Representative District 14, Position #1** Teddy Roosevelt Abigail S. Adams William Henry Harrison 凶 Write-in Mickey Mouse

Зс





Rule O Write-in: Not Eligible

A write-in vote for a race not appearing on the voter's ballot shall not be counted.

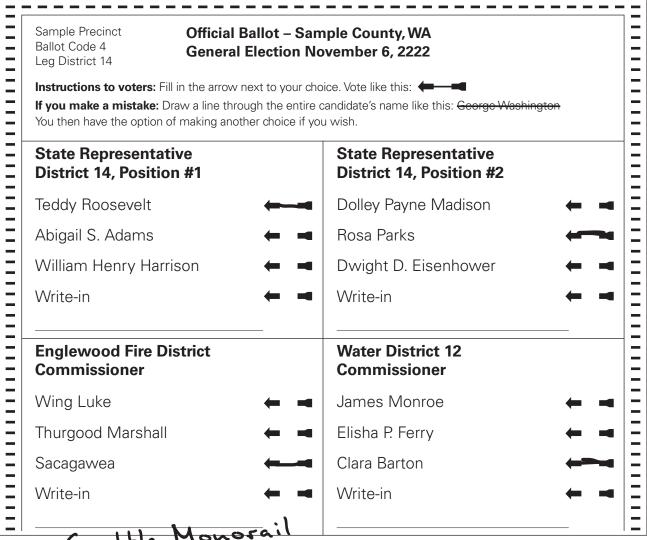
Exception to Rule O:

Provisional ballots. If a provisional ballot has been cast and the voter has written in an office or measure that is not on the ballot, that vote shall be counted if it is determined, based on the voter's registration, that he or she is eligible to vote for that office or measure.

Rule O, Example 1

The write-in vote intended for the Seattle Monorail measure is not valid.

The voter has written in a vote for a race that did not appear on the ballot. This voter is not eligible to vote for the Seattle Monorail, and the vote for that race will not count. All other votes on this ballot are valid and will count.



Seattle Monorail
yes
no way

Rule P Write-in: Vote in the Wrong Place

A write-in vote for a race appearing elsewhere on the ballot shall be counted as a valid vote, as long as all other requirements are fulfilled and the office, position number and political party, if applicable, are clearly indicated.

Rule P, Example 1

The write-in vote for Teddy Roosevelt is valid.

The voter has written a write-in vote for a race that is already on the ballot, but in a different location. This must count as a valid vote for Roosevelt for State Representative District 14, Position 1.

Sample Precinct Ballot Code 4 Leg District 14 Instructions to voters: Fill in the oval next to your choice. Vote like this: If you make a mistake: Draw a line through the entire candidate's name like this: George Washington You then have the option of making another choice if you wish.			
State Representative District 14, Position #1	State Representative District 14, Position #2		
Teddy ReesevelT	Oolley Payne Madison		
Abigail S. Adams	Rosa Parks		
William Henry Harrison	Dwight D. Eisenhower		
Write-in	Write-in		
Englewood Fire District Commissioner	Water District 12 Commissioner		
Wing Luke	James Monroe		
Thurgood Marshall	Elisha P. Ferry		
Sacagawea	Clara Barton		
Write-in	Write-in		



Rule Q Messy Marks

When otherwise valid votes marked in a target area partially extend into the response area, it shall be counted as a vote if most of the mark is in the target area and intent can easily be discerned.

Rule Q, Examples 1a-d

The following marks are valid votes for William Henry Harrison.

Even though the marks in these examples partially extend into other target areas, each shows a valid vote for one candidate.

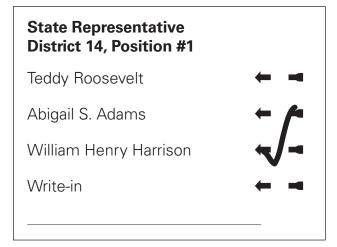
1a



1b



1c



1d

	State Representative District 14, Position #1
	Teddy Roosevelt
	Abigail S. Adams
•	William Henry Harrison
	Write-in

Rule R Pattern of Partisan Voting

Voter intent in any single contest shall not be determined based on a pattern of partisan voting on the ballot.

Exception to Rule R:

On a federal write-in absentee ballot (FWAB) in which the voter has not written in a candidate's name but has written in the name of a political party, the written instructions may be counted as a vote if the canvassing board can discern that a candidate's party preference is consistent with the voter's instructions. The canvassing board shall not count the instructions as a vote if no candidate's party preference is consistent with the voter's instructions, or if multiple candidates' party preferences are consistent with the voters' instructions.

Pattern of
Partisan Voting;
Anything Else
Rule R & Rule S

Rule S **Anything Else**

Voter intent on questionable marks not covered by the rules in this manual must be determined by County Canvassing Boards according to all applicable laws of the state of Washington and the Canvassing Board manual.

Where more than one rule may apply, the County Canvassing Board has authority to determine which rule is most appropriate.

Glossary

Declared Write-in Candidate

A candidate whose name is not printed on the ballot, but has filed a declaration of write-in candidacy with the appropriate filing officer no later than 18 days before a primary or general election.

Federal Write-in Absentee Ballot (FWAB)

The FWAB is an alternative ballot for overseas and uniformed services voters. The ballot contains blank lines for the voter to write in candidates' names for any office. If the voter doesn't know the names of candidates, the voter may write in a political party preference.

See Rule R.

Overvote

Votes cast for more than the permissible number of selections allowed in a race or measure.

An overvoted race or measure does not count in the final tally of that race or measure.

Example of an overvote would be voting for two candidates in a single race with the instruction, "vote for one."

Pattern of Similar Marks

A pattern of similar marks on a voted ballot occurs when the same type of mark is made for each office, for each measure, or for each vote cast on a particular page (side) of the ballot. The marks may be inside or outside the target area. See Rule B.

Response Area

The area on the ballot corresponding to a candidate, write-in line, or choice, including the target area as well as the printed name or response and party information, if applicable.

Target Area

The oval, square, or arrow corresponding to a candidate, write-in line, or choice on the ballot where the voter is instructed to mark his or her vote. Tabulation systems read target areas.

Undeclared Write-in Candidate

An undeclared write-in candidate has not filed a declaration of write-in candidacy by the applicable deadline. For the office of President only, write-in votes must include the political party affiliation.

Undervote

No selections made for a race or measure.

Valid Vote

A vote which should be counted.

Voter Fatigue

An indication of voter fatigue is when marks made by a voter in target areas on a ballot get smaller with each race.

Write-in Vote

A vote for a particular office handwritten on the ballot by the voter.

References

Case Law

Bush v. Gore, 531 U.S. 98, 121 S. Ct. 525, 148 L. Ed. 2d 388 (2000).

Federal Law: 42 U.S.C. § 15481

- (a) Requirements. Each voting system used in an election for Federal office shall meet the following requirements:
- (6) Uniform definition of what constitutes a vote. Each state shall adopt uniform and nondiscriminatory standards that define what constitutes a vote and what will be counted as a vote for each category of voting system used in the state.
- (d) Effective date. Each state and jurisdiction shall be required to comply with the requirements of this section on and after January 1, 2006.

State Law: Revised Code of Washington (RCW)

RCW 29A.36.111 Uniformity, arrangement, contents required. (1) Every ballot for a single combination of issues, offices, and candidates shall be uniform within a precinct and shall identify the type of primary or election, the county, and the date of the primary or election, and the ballot or voting device shall contain instructions on the proper method of recording a vote, including write-in votes. Each position, together with the names of the candidates for that office, shall be clearly separated from other offices or positions in the same jurisdiction. The offices in each jurisdiction shall be clearly separated from each other. No paper ballot or ballot card may be marked by or at the direction of an election official in any way that would permit the identification of the person who voted that ballot.

(2) An elections official may not enter into or extend any contract with a vendor if such contract may allow the vendor to acquire an ownership interest in any data pertaining to any voter, any voter's address, registration number, or history, or any ballot.

RCW 29A.60.021 Write-in voting – Declaration of candidacy – Counting of vote.

- (1) For any office, except precinct committee officer, at any election or primary, any voter may write in on the ballot the name of any person for an office who has filed as a write-in candidate for the office in the manner provided by RCW 29A.24.311 and such vote shall be counted the same as if the name had been printed on the ballot and marked by the voter. No write-in vote made for any person who has not filed a declaration of candidacy pursuant to RCW 29A.24.311 is valid if that person filed for the same office, either as a regular candidate or a write-in candidate, at the preceding primary. Any abbreviation used to designate office or position will be accepted if the canvassing board can determine, to its satisfaction, the voter's intent.
- (2) The number of write-in votes cast for each office must be recorded and reported with the canvass for the election.
- (3) A write-in vote for an individual candidate for an office whose name appears on the ballot for that same office is a valid vote for that candidate as long as the candidate's name is clearly discernible, even if other requirements of RCW 29A.24.311 are not satisfied and even if the voter also marked a vote for that candidate such as to register an overvote. These votes need not be tabulated unless: (a) The difference between the number of votes cast for the candidate appar-

References (continued)

ently qualified to appear on the general election ballot or elected and the candidate receiving the next highest number of votes is less than the sum of the total number of write-in votes cast for the office plus the overvotes and undervotes recorded by the vote tabulating system; or (b) a manual recount is conducted for that office.

(4) Write-in votes cast for an individual candidate for an office whose name does not appear on the ballot need not be tallied unless the total number of write-in votes and undervotes recorded by the vote tabulation system for the office is greater than the number of votes cast for the candidate apparently qualified to appear on the general election ballot or elected.

(5) In the case of write-in votes for a statewide office or any office whose jurisdiction encompasses more than one county, write-in votes for an individual candidate must be tallied when the county auditor is notified by either the secretary of state or another county auditor in the multicounty jurisdiction that it appears that the write-in votes must be tabulated under the terms of this section. In all other cases, the county auditor determines when write-in votes must be tabulated. Any abstract of votes must be modified to reflect the tabulation and certified by the canvassing board. Tabulation of write-in votes may be performed simultaneously with a recount.

RCW 29A.60.040 Rejection of ballots or parts – Write-in votes. A ballot is invalid and no votes on that ballot may be counted if it is found folded together with another ballot.

Those parts of a ballot are invalid and no votes may be counted for those issues or offices where more votes are cast for the office or issue

than are permitted by law; write-in votes do not contain all of the information required under RCW 29A.60.021; or that issue or office is not marked with sufficient definiteness to determine the voter's choice or intention. No write-in vote may be rejected due to a variation in the form of the name if the canvassing board can determine the issue for or against which or the person and the office for which the voter intended to vote.

RCW 29A.60.125 Damaged ballots. If inspection of the ballot reveals a physically damaged ballot or ballot that may be otherwise unreadable or uncountable by the tabulating system, the county auditor may refer the ballot to the county canvassing board or duplicate the ballot if so authorized by the county canvassing board. The voter's original ballot may not be altered. A ballot may be duplicated only if the intent of the voter's marks on the ballot is clear and the electronic voting equipment might not otherwise properly tally the ballot to reflect the intent of the voter. Ballots must be duplicated by teams of two or more people working together. . . .

State Law: Washington Administrative Code (WAC) WAC 434-235-040 Processing ballots.

(1) Any abbreviation, misspelling, or other minor variation in the form of the name of a candidate or a political party shall be disregarded in determining the validity of a federal write-in absentee ballot or a special absentee ballot if the intention of the voter can be ascertained.

WAC 434-261-005 Definitions. (3) "Readable ballot" is any ballot that the certified vote tallying system can accept and read as the voter intended without alteration, and that meets the standards of the county canvassing board subject to the provisions contained in this title;

References (continued)

(4) "Unreadable ballot" is any ballot that cannot be read by the vote tallying system as the voter intended without alteration. Unreadable ballots may include, but not be limited to, ballots with damage, write-in votes, incorrect or incomplete marks, and questions of voter intent. Unreadable ballots may subsequently be counted as provided by these administrative rules; . . .

WAC 434-261-120 Referral of questionable ballots to canvassing board. Whenever counting center personnel has a question about the validity of a ballot or the votes contained on the ballot that they are unable to resolve, the ballot shall be forwarded to the canvassing board for review. The facts giving rise to the question of validity must be noted.

Ballots being held for determination of validity or voter's intent shall be provided the same security as regular voted ballots and shall be kept in a secure area when not being processed.

WAC 434-261-070 Manual inspection of bal-

lots. (1) All voting positions on voted ballots shall be manually inspected on both sides of the ballot to determine whether the ballot is readable by the vote tabulating system. This manual inspection is a required part of processing ballots.

(2) If the manual inspection process detects any physically damaged ballots, unreadable ballots which might not be correctly counted by the tabulating equipment, or marks that differ from those specified in the voting instructions, the county auditor shall refer such ballots to the county canvassing board to be counted according to the statewide standards on what is a vote, as provided in WAC 434-261-086. The county canvassing board shall make the final determination of voter intent for ballots not addressed in the statewide standards on what is a vote.

(3) The county canvassing board may delegate duplication of the ballots consistent with RCW 29A.60.140.

WAC 434-261-075 Votes on something other than a ballot. If the voter returns voting responses by mail on any form other than a ballot, the votes thereon shall be acceptable and tallied provided that:

- (1) Only votes for offices or measures for which the voter is eligible are counted.
- (2) The candidate or measure response position for which the voter is voting can be clearly identified.
- (3) The ballot issued is not returned, or if returned, contains no marks indicating an attempt to vote it.
- (4) A valid signature on a ballot declaration is received with the voting responses.

The votes accepted must then be duplicated to a ballot that can be read by the electronic voting equipment.

WAC 434-261-086 Statewide standards on what is a vote. (1) Pursuant to 42 U.S.C. § 15481(a)(6) and *Bush v. Gore*, 531 U.S. 98 (2000), the following standards determine whether irregular marks on a ballot constitute a valid vote that may be counted.

. . .

(2) The secretary of state shall publish an illustrated version of these standards in each optical scan and digital scan voting system used in the state. The secretary of state shall distribute the illustrated version to each county canvassing board and post it on the web site.

References (continued)

(3) The secretary of state shall periodically review and update the manual as necessary, and seek input from county canvassing boards and other interested parties to ensure that the standards remain current and comprehensive.

WAC 434-262-031 Rejection of ballots or parts of ballots. (1) The disposition of provisional ballots is governed by WAC 434-262-032. The county canvassing board must reject any ballot cast by a voter who was not qualified to vote, or for other reasons required by law or administrative rule. A log must be kept of all voted ballots rejected, and must be included in the minutes of each county canvassing board meeting.

- (2) Ballots or parts of ballots shall be rejected by the canvassing board in the following instances:
 - (a) Where a voter has already voted one ballot;
- (b) Where two voted ballots are returned together:
- (i) If the two ballots are returned with only one valid signature on the ballot declaration, the races and measures voted the same on both ballots may be counted once.
- (ii) If the two ballots are returned with two valid signatures on the ballot declaration, both ballots may be counted in their entirety;
- (c) Where a ballot or parts of a ballot are marked in such a way that it is not possible to determine the voter's intent consistent with WAC 434-261-086:
- (d) Where the voter has voted for candidates or issues for whom he or she is not entitled to vote;
 - (e) Where the voter has overvoted;
- (f) Where the voter validly transferred out of the county.

WAC 434-262-160 Write-in voting -

Voter intent. (1) In all cases of write-in votes the canvassing board shall exercise all reasonable efforts to determine the voter's intent. Write-in votes in the general election are not to be counted for any person who filed for the same office as either a regular or write-in candidate at the preceding primary and failed to qualify for the general election. If a write-in declaration of candidacy has been filed, the voter need only write in that candidate's name in order for the vote to be counted; the candidate's party preference does not impact whether the write-in vote shall be counted. If no declaration of write-in candidacy has been filed, the voter must write in the name of the candidate and, if the office or position number cannot be determined by the location of the write-in on the ballot, the office and position number, in order for the write-in vote to be counted.

(2)(a) If a write-in candidate for partisan office does not file a write-in declaration of candidacy but does qualify for the general election ballot, the candidate has not stated a preference for a political party and therefore shall have "(states no party preference)" printed on the general election ballot.

(b) If a write-in candidate for partisan office files a write-in declaration of candidacy and qualifies for the general election ballot, the party preference stated on the write-in declaration of candidacy, if any, shall be printed on the general election ballot.



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For the purposes of this manual, political party preference and other ballot format requirements have not been included in the pictorial examples unless specifically relating to the rule.

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