



SOS

Office of the Secretary of State

Elections Division

Elections 101

Election Administrator Certification

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Secretary of State

Ken Wyman

AGENDA

Elections 101: The Administrator Certification Course

Chapter 1 Election Administration

- 1.1 Overview of Law
- 1.2 Disability Awareness
- 1.3 Administration Toolkit
- 1.4 Public Records

Chapter 2 Voter Registration

- 2.1 Voter Registration
- 2.2 Precinct and District Boundaries

Chapter 3 Pre-Election

- 3.1 What Elections, When?
- 3.2 What's on the Ballot?
- 3.3 Candidate Filing
- 3.4 Election Preparation

Chapter 4 Balloting

- 4.1 Security
- 4.2 Issuing and Receiving
- 4.3 Initial Processing
- 4.4 Final Processing

Chapter 5 Accountability

- 5.1 Canvassing Board
- 5.2 Completing the Election Process
- 5.3 Recounts

CERTIFICATION & TRAINING PROGRAM**RCW 29A.04, WAC 434-260****THE CERTIFICATION AND TRAINING PROGRAM STAFF:**

- Sheryl Moss, Manager
Phone: (360) 902-4146 Email: sheryl.moss@sos.wa.gov
- Miriam Campbell
Phone: (360) 902-4165 Email: miriam.campbell@sos.wa.gov
- Cindy Gobel
Phone: (360) 725-5770 Email: cindy.gobel@sos.wa.gov
- Joesph R. MacLean
Phone: (360) 902-4159 Email: joe.maclean@sos.wa.gov
- Kay Ramsay
Phone: (360) 725-5785 Email: kay.ramsay@sos.wa.gov
- Heather Sorgen
Phone: (360) 902-4149 Email: heather.sorgen@sos.wa.gov

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ELECTION ADMINISTRATOR CERTIFICATION

State law requires at least two certified election administrators on staff in each county.

For initial certification, an applicant must:

- Work two years in elections during the three-year period prior to request for certification.
- Complete the Elections 101 course. (does not qualify toward training hours)
- Pass the written examination.
- Complete 40 hours of additional education; 30 hours must be election-specific (by an approved sponsor listed in WAC 434-260-220). A maximum of four hours of visiting other county elections departments is allowed. All other training must be pre-approved by the OSOS to be counted as Election Specific.
- Submit an online application for initial certification.

For maintaining certification, an administrator must:

- Work as an election administrator continuously during the year for which maintenance is required.
- Receive 18 hours of continuing education; 6 hours must be election-specific.
- Submit an online application for maintenance January of each year.

CERTIFIED ASSISTANT ELECTION ADMINISTRATOR

For initial certification, an applicant must:

- Work one year in elections immediately prior to the request for certification.
- Complete the Elections 101 course.
- Pass the written examination.
- Complete 20 hours of additional education; 15 hours must be election-specific.
- Submit an online application for initial certification

For maintaining certification, an assistant administrator must:

- Work as an assistant election administrator continuously during the year for which maintenance is requested.
- Receive 6 hours of continuing education; 2 hours must be election-specific.
- Submit an online application for maintenance January of each year.

Counties may not include Assistant Election Administrators to meet the two required certified election administrators.

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TRAINING OPPORTUNITIES

The Election Administration and Certification Board approves election specific training. The Board approved the following organizations to provide election specific training:

- The Office of the Secretary of State
 - Workshops
 - Canvassing Board Training
- Washington State Association of County Auditors
 - Annual elections conference
 - Other conferences—presentations related to election administration
- Outside Organizations
 - Election Center
 - US Election Assistance Commission
 - Federal Voting Assistance Program
 - User group meetings (only when training is provided)
 - Visiting other counties (4 hours for initial certification; 2 hours for maintenance)
 - Any training approved by the Election Administration and Certification Board
- Other approved training—see the list on the Secretary of State’s website

Visit the Election Administrators tab on our website for training registration, applications for certification, and tracking your training.

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**CHAPTER 1 – ELECTION ADMINISTRATION
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1.1 ELECTION LAWS

STATE CONSTITUTION

The State Constitution consists of 32 Articles. Each Article is denoted by a Roman numeral. Example: Article VI

Articles are divided into Sections. When referring to a specific section, you will see either:

- Article VI, Section 4, or
- Art. VI, Sec. 4, or
- Art. VI, § 4

Articles I, II, III, IV, VI, VII, XI, XIV, XXII, and XXIII all contain provisions related to elections.

STATE STATUTES

The official name is the Revised Code of Washington, commonly known as “RCWs.”

- Numbered Titles divide state statutes by subject.

Example: RCW **29A**

- Titles are divided into chapters and the chapter numbers appear after the title number, separated by a period.

Example: RCW 29A.**24**

- Chapters are divided by sections and the section number is listed after the chapter number, separated by a period. For example, RCW Title 29A, Chapter 24, Section 031 would read as RCW 29A.24.031.

You will find most election laws in Title 29A, however many other chapters associated with specific offices and issues contain such laws. (See the chart found at the end of this chapter.)

STATE RULES

The official name is Washington Aministrative Code, commonly known as “WACs.” WACs are organized in a manner similar to RCWs.

- Numbered titles divide state rules by subject.

Example: WAC **434**

- Titles are divided by chapters and the chapter numbers appear after the title number, separated by a dash.

Example: WAC 434-**250**

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- Chapters are divided by sections and the section number is listed after the chapter number, separated by a dash. For example, Washington Administrative Code Title 434, Chapter 250, Section 030 would read as WAC 434-250-030.

You will find rules for the Secretary of State in Title [434](#). Election rules are found in WAC chapters 434-208 through 434-381.

FEDERAL ELECTION LAWS

Federal election laws affect the administration of elections, including:

- MOVE Act—Military and Overseas Voter Empowerment Act of 2009
- HAVA – Help America Vote Act of 2002
- NVRA – National Voter Registration Act of 1993 (Motor Voter)
- UOCAVA – Uniformed and Overseas Citizens Absentee Voting Act of 1986
- Voting Rights Act of 1965

CASES AND AG OPINIONS

- An opinion is requested when the interpretation of an existing law is in question. While not as binding as law, Attorney General Opinions affect election administration.
- Supreme Court and Court of Appeals decisions override current law.
- State and federal court cases affect the administration of election law for the jurisdiction in question. Such decisions, while not binding for the entire state, influence interpretation of state law.

SEARCH TOOLS

- The RCWs and WACs may be found on the Secretary of State’s website at https://www.sos.wa.gov/elections/election_laws.aspx
- The state also provides a search option for RCWs, WACs, and the State Constitution at search.leg.wa.gov/search.aspx#document.
- A list of election related RCWs outside of Title 29A (on the following page) at <http://www.sos.wa.gov/assets/elections/RCW%20Chapters%20Outside%20Title%2029A-09.pdf>.

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ELECTION RELATED RCW CHAPTERS

Election-Related Topics	
Vacancies in Office	42.12
Eligibility to Hold Office	42.04
Motor Voter	46.20
Mental Competency	11.88
Public Disclosure Commission	42.17
Redistricting	44.05
Legislative Districts	44.07E
General Government	
Public Records	42.56
Records Retention	40.14 & 36.22
Open Public Meetings Act	42.30
Legal Notices & Publications	65.16
Debt Limits for Taxing Districts	39.36
General Obligation Bonds	39.40 & 39.46
Excess Property Tax Levies	84.52
Property Tax Limitations	84.55
Property Tax Exemptions	84.36
Taxing District Boundaries	84.09
Judicial Offices	
Supreme Court	2.04
Court of Appeals	2.06
Superior Court	2.08
District Court	3.34 & 3.38
Municipal Court	3.46 & 3.50
Municipal Court > 400,000	35.20
State Offices	
Governor	43.06
Lieutenant Governor	43.15
Secretary of State	43.07
State Treasurer	43.08
State Auditor	43.09
Attorney General	43.10
Commissioner of Public Lands	43.12
Superintendent of Public Instruction	28A.300
Local Government	
Counties	36.16, 36.22, 36.32 & 36.89

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1.2 ACCESSIBILITY AWARENESS**WAC 434-250 & RCW 29A.40****HAVA (HELP AMERICA VOTE ACT)****HAVA TITLE 1**

HAVA, the Americans with Disabilities Act of 1990 (ADA) and state law require election officials provide voters with disabilities the same access to voting as other citizens. These laws give voters an equal opportunity to vote privately and independently.

HOW DO YOU MAKE VOTING BY MAIL ACCESSIBLE?

Every county must provide:

- An Accessible Voting Unit (AVU) in at least one voting center. The unit must be wheelchair-accessible.
- Election materials in alternate format, e.g. audio, larger fonts, etc.
- Voting centers that meet all requirements of the Americans with Disabilities Act (ADA). The AVU must be positioned in a way to protect voter privacy. The voting screen of the AVU should not be viewable by staff or voters in the center.

The “ADA Checklist for Event Accessibility” provided at the end of this section will assist you in determining the accessibility of any voting location.

DISABILITY ADVISORY COMMITTEE**RCW 29A.04**

All counties are required to establish and maintain a disability advisory committee. The committee must include persons of ‘diverse’ disabilities and persons with expertise in providing accommodations for persons with disabilities.

Counties may share a committee provided no more than one of the participating counties has a population greater than seventy thousand.

WHAT DOES THE COMMITTEE DO?

The Committee must work with the County Auditor to create a plan and implement changes to improve the accessibility of elections for voters with disabilities with regard to:

- The number and location of voting centers and ballot deposit sites and/or ballot drop boxes. (Example: locate drive-up ballot deposit boxes on the driver’s side of a car and pedestrian boxes at wheelchair height.)
- Outreach to voters regarding the availability of accessible voting accommodations.
- Transportation of AVUs to locations convenient to voters with disabilities.
- Implementation of the Help America Vote Act.
- Reviewing and updating the plan annually.

NOTES:

ACCESSIBILITY AWARENESS

The video, “Disability Sensitivity Training” video produced by dcgovernent addresses communication with members of the disabled community. The “Voting with a Disability in Oregon” video produced by Disability Rights Oregon illustrates ways to help people vote privately and independently at home.

VOTER ASSISTANCE

A voter has the right to request assistance from whomever the voter chooses. Staff members may assist voters upon request or offer assistance when it appears that a voter is having difficulty casting a vote.

- ① *Maintain voter privacy - always ask the voter if assistance is needed prior to approaching.*

INTERACTING WITH PEOPLE WITH DISABILITIES

Be Respectful Treat people with disabilities with the same respect and consideration you have for everyone else. A person who has a disability is a person -- like anyone else.

Meeting Someone Avoid actions and words that suggest the person should be treated differently. People who use wheelchairs may have a variety of different disabilities. When you meet someone, extend your hand to shake if that is what you normally do. A person who cannot shake hands will let you know. If you are meeting a blind person, identify yourself. Use a normal tone of voice. Do not raise your voice unless requested.

Helping Do not automatically give assistance. Ask first if the person wants help. Offer assistance, quietly and tactfully, but do not overdo it or insist on helping. Respect the person's right to reject help or to indicate the kind of help needed.

If the offer is accepted, listen to instructions. The person may refuse your offer of assistance or may not wish to discuss their disability.

If you cannot assist in the way that is requested, discuss it with the person. You have a right to set limits on what you can and cannot do. Your relationship with a person with a disability should be, like any other relationship, a reciprocal one.

Appreciate what the person can do. Remember that difficulties the person may be facing may stem more from society's attitudes and barriers than from the disability itself.

Communicating Talk directly to the person, not to an aide, friend or interpreter. When talking with a person in a wheelchair for more than a few minutes sit down and converse at the same level. Offer to make basic information available in large print, Braille, electronic or audio formats.

Relax. If you do not know what to do or say, allow the person who has a disability to help put you at ease.

NOTES:

Do not assume anything. If you have a question about what to do, how to do it, what language or terminology to use, what assistance to offer, ask the person with the disability. That person should be your first and best resource.

If there is time and opportunity, explore your mutual interests in a friendly way. The person probably has many interests besides those connected with the disability and the job.

Talk about the disability if it comes up naturally, without prying. Let the person guide you. Be considerate of the extra time a person with a disability may need to say or do things. Let the person set the pace in walking or talking.

Give whole, unhurried attention to the person who has difficulty speaking. Don't talk for the person, but give help when needed. Keep your manner encouraging rather than correcting. When necessary, ask questions that require short answers or a nod or shake of the head.

Don't pretend to understand a person with a speech difference when you do not. Don't be afraid to let the person know that you do not understand. Be patient, not only with the person with the disability but also with yourself.

Speak calmly, slowly, and distinctly to a person with a hearing problem or other difficulty understanding. Stand in front of the person, speak directly to the person, and use natural gestures to aid communication. When full understanding is doubtful, try writing notes.

Touching - Do not pat or touch a person with a disability unless there is a good reason (such as shaking hands in greeting or if the person has requested assistance).

Gently touching a deaf person to get their attention is permissible.

Do not touch someone's cane, wheelchair or other device.

Environments – Provide wide & clear paths of travel for people who use wheelchairs or are blind. Be alert to architectural barriers. Inadequate lighting is difficult for those with hearing and sight problems.

Be aware that some people may be sensitive to smoke, perfumes, or any other toxins that may be in the air.

Wheel chairs or mobility aides - Never push a wheelchair without first asking the occupant if you may do so. Do not move wheelchairs, crutches, or other mobility aids out of the reach of the owners.

Do not invade personal space by leaning on a wheelchair. Do not patronize a person in a wheelchair by patting them on the head.

Service Animals - A service animal is NOT required to have any special certification. Federal law protects the civil rights of persons with disabilities who are accompanied by their service animals in all public places.

Do not pet guide dogs. Do not make noises at the Service Animal; it may distract the animal from doing its job. Never touch a service animal, or the person it assists, without permission. Do not pet or otherwise distract dog guides. They are working.

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ADA CHECKLIST FOR EVENT ACCESSIBILITY

IS THIS LOCATION/EVENT ACCESSIBLE?

Answer the following questions. If any answer is negative, or needs qualification, select a new location or make accommodations.

A detailed checklist for polling places, voting centers and public access is available from the U.S. Department of Justice website at <http://www.usdoj.gov/crt/ada/votingck.htm>

PARKING

- The required number of parking spaces are designated as accessible with signs using the access logo. (See the checklist referenced above to determine requirements.)
- One out of every six accessible parking spaces is designed with an access aisle for van parking.
- The accessible parking is located as close as possible to the entrance.
- If accessible parking is not visible from the street, directional signs with the access logo are pointing the way.
- Voters can be dropped off at a curb cut providing adequate and direct access to the building.

PATHWAYS

- Paths are no less than 48 inches wide.
- The slope of the path is no more than one inch of rise for every 20 inches of run.
- There is at least 80 inches of clearance over the pathway at all points.
- All thresholds are no more than one-half inch for interior or three-quarters of an inch for exterior doors.
- Carpets are no thicker than one-half inch.
- If there are gratings in the walking surface, the grating is no more than one-half inch in width.
- Directional signs are visible along the accessible route and at the entrance.
- All doorways are at least 32 inches wide.
- If the location requires movement between floors, an elevator access is in close proximity to the entrance and the training room.
- All stairs are supplemented with ramps of no more than a 1-foot rise for every 20 feet of run.

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BUILDING/TRAINING ROOM

- Doors to building and rooms are designed with lever handles, automatic openers and room to move to the side.
- Drinking fountains, telephones and other convenience facilities are designed for wheelchair users or those with mobility issues.
- The restrooms include wide stalls and grab bars, and are in close proximity to the meeting room.
- The room arrangement is such that all persons will be able to participate visually and physically.
- The room can accommodate additional space requirements by those with mobility issues.
- If computers are to be used, computer stations are designed to accommodate wheelchairs.

MEETING ANNOUNCEMENTS

- Accommodations such as interpreters, handouts, and presentation copies are available in alternate formats.
- There is a statement regarding availability of accommodations in all publicity for the meeting.
- There is a statement that alternate formats are available upon request.
- Videos/films have closed captions.
- A contact person has been identified for accommodation issues.

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1.3 ELECTION ADMINISTRATION TOOL KIT

TOOLS

Every election administrator should assemble a 'toolkit' consisting of items to keep the office running smoothly, such as:

- Local government retention schedules.
- Written office policies and procedures.
- Election calendar and task specific schedules.
- Contact information for vendors, other counties, and OSOS staff.
- Web links for election departments and political organizations.
- Operation manuals for equipment and software.
- Guidelines for implementing the *Americans with Disabilities Act*.

OFFICE PROCEDURES

Written procedures ensure consistency in completing a task, provide a timeline for processes, and give direction to new employees or for infrequent activities. Procedures also document compliance with state laws and office policy. Written procedures may include:

- Title with initials of author and date of last review.
- Brief statement of the purpose for the procedure.
- List of controlling statutes, rules, or policies.
- List of forms used in the procedure.
- List of records created during the process.
- Step by step instructions necessary to complete the procedure.
 - Times and deadlines.
 - Actions to take in special circumstances, e.g. lack of compliance or an emergency.
 - Position responsible for the completion of each task or procedure.

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EXAMPLE OF WRITTEN PROCEDURE FORM



Snohomish County
Elections/Voting Division Procedure

Title Ballot Packing for Storage	Document No. and Revision TB – 002
Written and Last Updated by and Date: D.F. 4/21/2008	Effective Date: 6/30/2008
Approved by and Date: WM 6/30/2008	

Purpose

To maintain and track how and where tabulated ballots are packed for storage after tabulation.

References

RCW 29A.60.110	Ballot containers, sealing, opening
WAC 434-261-045	Secure Storage

Forms

	Batch slips
	Storage box lable

Records

Ballot storage location.xls	Batch locations are recorded in each election’s ballot location spreadsheet
Batch Accountability Sheet	Tabulation accountability paperwork completed by machine operator for each batch of ballots

Procedure

1.0 Pre-Election storage inventory

Action By	Action
Election Technician	1) Review supply check sheet and order any needed supplies at least 4 weeks before election

2.0 Pre-tabulation packing preparation (prior to Election Day tabulation)

Test procedures with inexperienced staff. Adopt procedures only after testing.

Review and update office procedures annually.

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ELECTION RESOURCES

No office works independently. With the advent of the internet, the public expects offices to know more and find information faster. Prepare in advance with:

- Schedules and calendars specific to elections and election processes
- Equipment manuals from your vendors (preferably electronic format)
- Website such as:
 - OSOS including Elections & Archives/Records Management.
 - Public Disclosure Commission (PDC).
 - Local government sites e.g. cities, ports, schools.
 - US Post Office.
 - VRDB access.
 - Lexus Nexus and DOL lookup (requires a license).
 - WEI Online Help Manual.

WEI - WASHINGTON ELECTION INFORMATION SYSTEM

WEI, a multi-support system, includes:

- Increased access to election results.
- Online voter registration.
- Individual voter information.
- Online ballot access.
- Website support for counties.

Counties choose to use as little, or as much, of the WEI as desired. Some of the services now available to counties include:

- Standardized voter education notices.
- Candidate filing management.
- MyBallot.
- Online voter guides.
- Archived election information.

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ELECTION AND VOTER REGISTRATION COSTS

Elections cost money. Participating minor taxing jurisdictions pay their share of election costs. The state reimburses for its share in odd year elections only. Some examples of recoverable expenditures are:

- Printing costs for ballots and envelopes.
- Postage for mailing ballots and charges for undeliverable ballots.
- Staff time dedicated to the election.
- Annual maintenance for the tabulation system software and hardware.
- A portion of annual maintenance for management system software and hardware.

Examples of voter registration costs:

- The voter registration system maintenance.
- Printing or postage for required NVRA notices.
- Staff time dedicated to voter registration.
- A portion of annual maintenance for election management hardware.

Do not include expenses covered by HAVA grants.

Bill voter registration expenses to the county and cities/towns based on voter registration totals.

TRACKING EXPENSES

There are several methods for tracking expenditures:

- Using budget line items attached to warrants.
- Retaining copies of all invoices.
- Maintaining an itemized spreadsheet during the election.

You may use any combination of these methods to document your expenses. Track registration expenses separately from election costs.

Billing information and rules for cost recovery are available in the BARS Manual (*Budgeting, Accounting and Reporting System*) (Vol. 1, Pt. 3, Ch. 12) available on the [Washington State Auditor's Office website](http://www.sao.wa.gov/local/Pages/BarsManual.aspx) at <http://www.sao.wa.gov/local/Pages/BarsManual.aspx>.

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WEB RESOURCES

Office of the Secretary of State: www.sos.wa.gov

OSOS Elections home page: www.vote.wa.gov.

OSOS Election Administrators webpage tab:
<http://www.sos.wa.gov/elections/administrators.aspx>

Federal Voting Assistance Program (FVAP): www.fvap.gov

Public Disclosure Commission: www.pdc.wa.gov

US Postal Service: www.usps.com. For specifically election mail <https://www.usps.com/gov-services/election-mail.htm>

Budgeting, Accounting and Reporting System (BARS) for (GAAP)> manual search “elections”
<http://portal.sao.wa.gov/SAOPortal/Public.aspx/BARSSearch?mtID=2>

WEB RESOURCES FOR ELECTION LAWS

Department of Justice: <http://www.justice.gov/crt/about/vot/>

NVRA and UOCAVA: <http://www.fvap.gov/info/laws>

OTHER SUPER SITES

Free people search: www.zabasearch.com

Address Lookup: www.melissadata.com/lookups/addressverify
(No charge for the first five daily)

ZIP locator: www.zip-codes.com

Lexis Nexis: www.lexis.com (Requires licensed login)

Department of Licensing query: <https://secureaccess.wa.gov/>(Requires licensed login)

Social Security Death Index: <http://ssdi.rootsweb.ancestry.com/>

FORMS AND TEMPLATES

Voter Registration Challenges: www.sos.wa.gov/elections/voterregistrationchallenges.aspx

Agency Based Registration Forms: <http://www.sos.wa.gov/elections/FormsforVoters.aspx>

My Vote: <https://wei.sos.wa.gov/agency/osos/en/pages/myvote.aspx>

Voter Registration Form: <http://www.sos.wa.gov/elections/Print-Voter-Registration-Forms.aspx>

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1.4 PUBLIC RECORDS

PUBLIC INFORMATION AND RECORD REQUESTS

RCW 42.56

The Public Records Act determines if a document is a public record. Upon receipt of a public records request, you must provide any documents not exempted by the Act.

Information may consist of a number of formats including letters or memos, films, videos, photographs, audio recordings, symbols, discs, and emails.

State and local retention schedules determine how long documents and records must be retained. Retention schedules are found on the Secretary of State's website under Archives.

Counties use two schedules:

- Common Records Retention Schedule (CORE) and Local Government General Records Retention Schedule (LGRRS).
- Records management assistance, current schedules, and information may be found at http://www.sos.wa.gov/archives/RecordsManagement/records_local.aspx.

Keep documents without a prescribed retention period indefinitely.

THINGS YOU NEED TO KNOW ABOUT REQUESTS FOR PUBLIC INFORMATION

- Any member of the public may request a document.
- Provide records during normal business hours.
- Do not require a reason for a public records request.
- The law restricts the use of public lists for commercial purposes, but not the release of information.
- An agency must provide the fullest assistance to the requestor.
- Unless exempted, agencies must provide a record if it exists. This includes records held beyond the retention period.
- Fulfill the request in as short a period of time as possible.

Do not charge a fee for viewing or searching for documents. You can charge the actual cost for copying documents up to 15 cents per page or for scanning paper documents into electronic format provided you meet all conditions of [WAC 44-14-07003](#).

NOTES:

What should you do when you receive a public information or record request?

Respond no later than five business days after the request by:

- Providing the record,
- Notifying the requester with an estimate of when the document(s) will be provided, or
- Seeking clarification of the request.
- Denying the request with an explanation why you cannot or will not comply

Are there any exempt records?

The Public Records Act exempts records disclosure, such as:

- Personnel files that are closed
- Ongoing investigations by law enforcement agencies
- Preliminary drafts or notes expressing opinions or formulating policies

Create an exemption log that identifies denied records by date, author, title, and exemption statute and reason.

A denial may lead to a lawsuit, so keep good records.

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2.1 VOTER REGISTRATION SERVICES

OUR GUIDING PRINCIPLE

RCW 29A.04.205

“State policy. *It is the policy of the state of Washington to encourage every eligible person to register to vote and to participate fully in all elections and to protect the integrity of the electoral process by providing equal access to the process while guarding against discrimination and fraud.”*

WHAT CONSTITUTES DISCRIMINATION OR FRAUD?

RCW 29A.84

- Refuse or neglect to perform any duty required by law.
- Intentionally deny any person eligible to vote the right to register.
- Knowingly alter, destroy, or discard a completed registration form.
- Knowingly destroy, mutilate, conceal, change, or alter any voter registration record except as authorized by voter registration law.
- Deliberately fail to return a registration form in a timely manner.
- Knowingly provide false information on a voter registration application.
- Offer to pay another person a fee per registration.
- Accept payment based on a fixed amount per registration.

“Penalty. A person who willfully violates any provision of this title regarding the conduct of all ballot primaries or elections is guilty of a class C felony punishable under RCW 9A.20.021.”

WHO IS ELIGIBLE TO VOTE? VI, SEC 1 & 3

WA CON ART.

An “elector” is any person qualified to vote.

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- 18 years old at time of voting.
- United States Citizen.
- Legal resident of Washington State.
- Not subject to guardianship covering voting rights, or under supervision of Washington Dept. of Corrections (DOC).

RCW 29A.08

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IS A VOTER'S REGISTRATION INFORMATION PUBLIC?

RCW 29A.08.710

Following items are public information and available on request.

- Name and address
- Political jurisdiction (precinct/district)
- Gender
- Date of birth
- Voting record
- Date of registration
- Registration number

Following items are **not** available to the public:

- Department of Licensing (DOL) office of registration
- State agency office of registration
- Declination of registration
- Phone number
- Anything else on the registration form that isn't specified as public information.

REGISTRATION DEADLINES

Voters must register in order to participate in an election.

Registration deadlines do not apply to service or overseas applicants wishing to register to vote in Washington State. However, deadlines to update information for existing records apply to all voters including service and overseas voters.

The postmark, or date of receipt, by the elections office is the date of registration. If an application by mail does not have a postmark, but it's received by a County Auditor prior to the end of the fifth day after the deadline, consider the application as meeting the deadline.

29-DAY DEADLINE

New applications, changes of address (transfers), name changes and voluntary cancellations must be received or postmarked by the 29th day before an election. The same deadlines for registration by mail apply to registrations received by fax, email, or online.

NOTES: _____

8-DAY DEADLINE

Applicants not currently registered in Washington State may register **in person** at their County Auditor’s office up to eight days before an election. This extended registration period is only available to voters not currently registered in Washington, and includes those that were once registered but are currently cancelled.

All transfers must meet the 29-day deadline. No exceptions.

EXCEPTION

If members of the armed forces (as defined by RCW 29A.04.163) and overseas electors (defined in 29A.04.109) consider Washington State their last residence, **new** applicants are exempt from all registration deadlines. This exception does not automatically apply to dependents and spouses of military and overseas voters.

VOTER APPLICATIONS

ACCEPTABLE APPLICATIONS

- Washington State mail-in/paper form.
- Online voter registration (OLVR).
- Motor Voter (based on National Voter Registration Act, NVRA).
- Agency-based form.
- In-person (registration drives, over-the-counter).
- Federal applications.

REQUIRED INFORMATION FOR NEW APPLICANTS

- Name.
- Residential address.
- Date of birth.
- Affirmation of US citizenship.
- Signature attesting to truth of information provided on the form.

Note: ID is not required information to register an applicant.

NOTES: _____

PROCESSING A COMPLETED APPLICATION

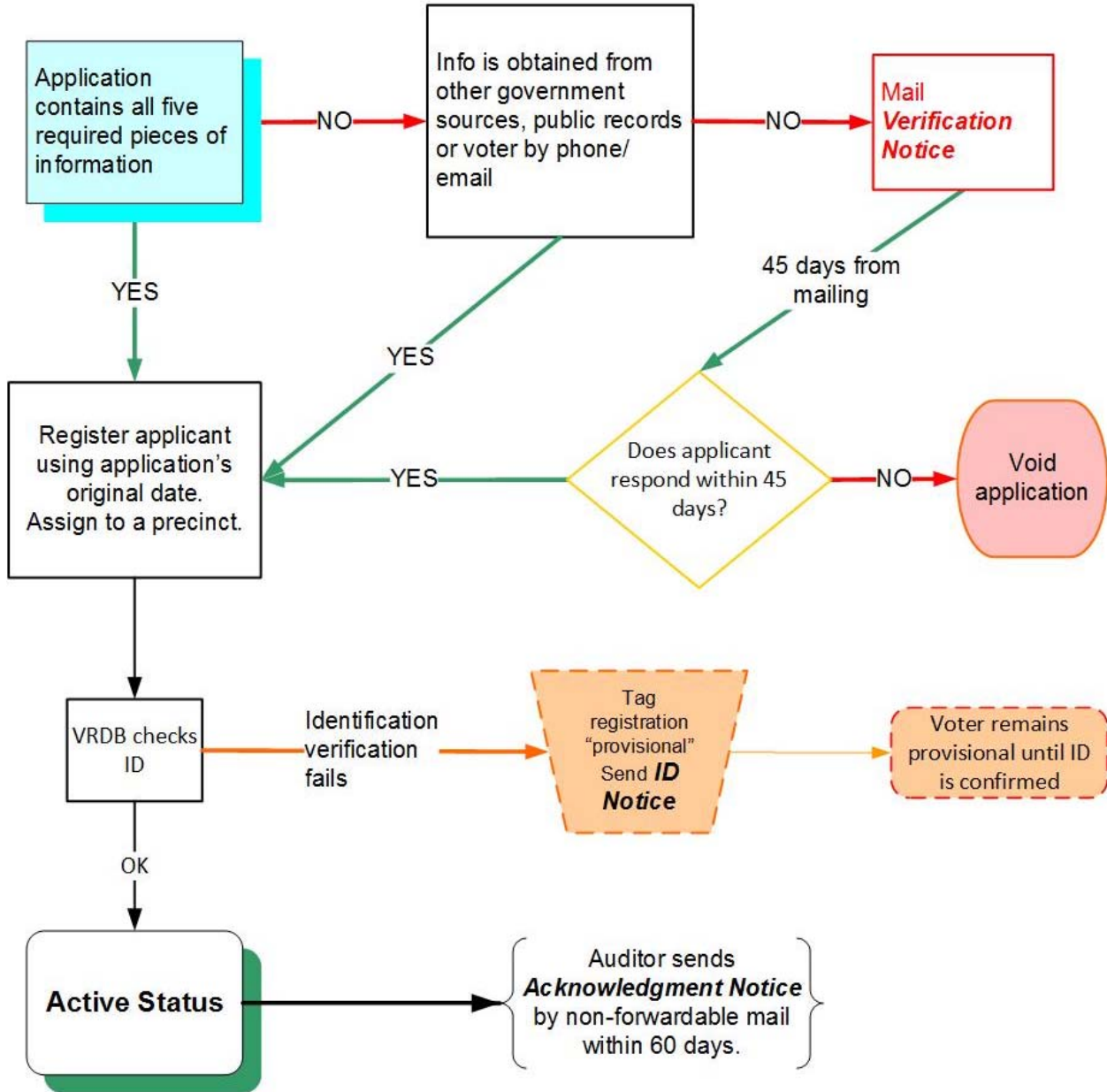
After confirming an application contains all five pieces of **required** information, register the voter.

- Enter the applicant's information into your county database.
- If it is a paper form, scan it and save an image of the signature.
- Confirm the VRDB verified the state driver's license, state ID, or social security number. (When the ID is not confirmed or provided, register the voter provisionally.)
- Send an **Acknowledgment Notice** (voter ID card) to the voter within 60 days of receiving the application.

NOTES: _____

PROCESSING REGISTRATION APPLICATIONS

RCW 29A.08 & WAC 434-324



NOTES: _____

APPLICATION IS MISSING REQUIRED INFORMATION

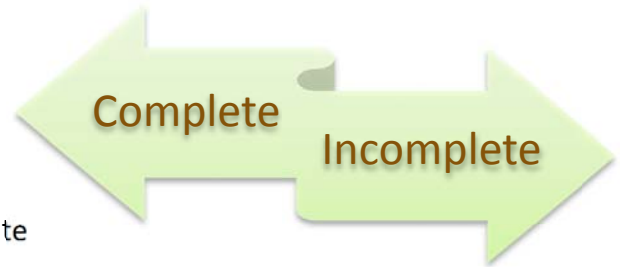
When the application is missing one of 5 required pieces of information:

- Do not register the applicant.
- Send a Verification Notice to the applicant requesting the missing information.
- Hold the application until the missing required information is received or the deadline of **45 days** has passed.

Never send a Verification Notice to a voter that is already registered!

If the applicant responds within 45 days:

- Enter the voter into your county database and send an Acknowledgment Notice.
- The date of registration for the voter is the date you received the **original** application.



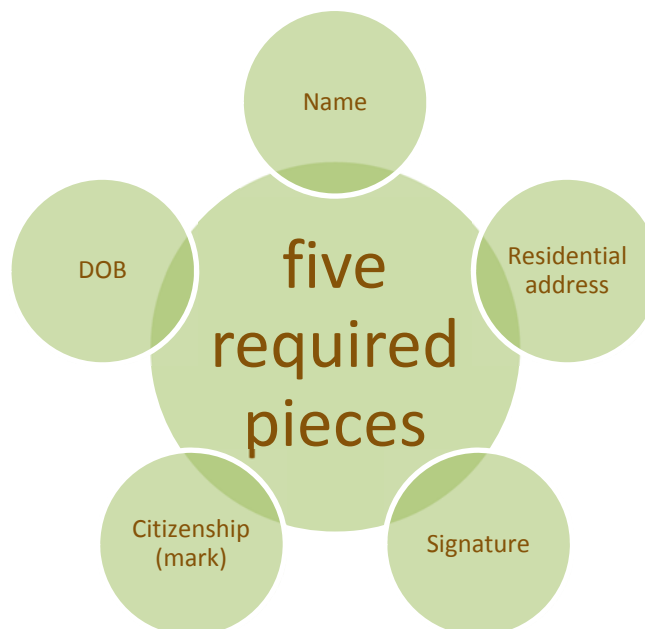
When an applicant fails to respond within 45 days, the applicant cannot be registered and the application is not valid.

The Verification Notice must **not** be used for requesting identification!

IS ID REQUIRED TO REGISTER A NEW VOTER?

WAC 434-324-045

No, ID is not a required piece of voter registration information.



NOTES: _____

When an application is missing ID, or the ID cannot be verified, the voter must be registered **provisionally** and issued a ballot.

- A provisional registration (temporary) is dependent on receiving ID eventually.
- All provisionally registered voters must receive ballots.

Exception: Overseas and service voters are not required to provide ID when registering to vote. Meaning, they are never registered provisionally.

IDENTITY VERIFICATION

HAVA requires verification of ID through the statewide Voter Registration Database (VRDB). The ID numbers **requested** on the form are from the Department of Licensing (DOL) or Social Security (SSN).

If the voter does not provide a DOL or SSN number, or the VRDB is unable to verify the ID numbers provided, the County Auditor should follow these steps.

1. Provisionally register the voter in your county system and flag the registration.
2. Use other government resources and public records to confirm the voter’s ID. If confirmed, remove provisional status from the registration.
3. If unable to verify using other sources, you may contact the voter by phone, email or other means. If the voter provides valid ID, remove provisional status from the registration.
4. If after these attempts, you are unable to verify the voter’s identity, send an **ID Notice**.
5. When the voter provides ID, remove the provisional registration status and change to active.
6. The county elections department should cancel any provisional voter registration that has been consistently provisional through two federal elections.

NOTES: _____

ALTERNATE FORMS OF ID ARE ACCEPTABLE!

- Valid photo ID.
- Valid tribal enrollment card of a recognized tribe in Washington.
- Current utility bill.
- Current bank statement.
- Current paycheck.
- Current government check.
- Any government document that shows the registrant's name and current address.

When a voter provides an alternate form of ID, save a notation of the document source in the voter's registration record.

REGISTERING A UOCAVA VOTER

Citizens overseas or on active duty service are protected by the **Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)**.

To qualify as a UOCAVA voter in our state, the voter must use their most recent residential address in Washington, or the most recent residential address in Washington of a family member.

An overseas voter, as defined in RCW 29A.04.109, is any elector of the state of Washington outside the territorial limits of the United States on Election Day.

Deadlines for **new** voter registrations do not apply to citizens overseas or active duty service electors, dependents, or spouses that are away from their residence due to an active duty assignment. A service or overseas voter may register to vote by providing one of the following items.

- A voter registration application issued by Washington State.
- A federal post card application (FPCA) issued by the Federal Voting Assistance Program ([FVAP](#)).
- A federal write-in absentee ballot (FWAB) issued by FVAP.
- A national mail voter registration form issued by the Election Assistance Commission ([EAC](#)).
- A ballot with a valid signature on the ballot declaration.

NOTES: _____

PROCESSING UOCAVA APPLICATIONS

If an application from a UOCAVA elector lacks a Washington State address, contact the applicant to request the address of the applicant’s last known residence in Washington State. An address of a relative may be used if the applicant has never lived in the United States.

After the election or primary, if the voter does not provide a Washington address, the County Auditor must place the voter on inactive status.

A UOCAVA voter is not required to provide ID when registering. UOCAVA dependents are not included in the exemption and must provide valid identification.

UOCAVA voters must be offered the option of receiving ballots electronically or by postal mail. If the registration application does not indicate a choice, you must try to contact the voter. Send the ballot by mail if the voter has not responded by the mail date.

Rules for processing UOCAVA voter registrations and issuing ballots are located in “Service and Overseas Voters,” [Clearinghouse 14-05](#).

REGISTERING AN ACP VOTER RCW 40.24 & WAC 434-840

Some applicants must **not** be entered into your voter registration system.

The **Address Confidentiality Program (ACP)** protects victims of domestic violence. Participants of the program may register to vote, but their registration and balloting information is strictly confidential. Their information must not be coded into your county database.

The County Auditor sends a ballot to the registered program participant at the mailing address provided. Neither the name nor the address of a participant is included on any list available for public disclosure.

Only designated personnel in the County Auditor’s Office may process these registrations and ballots.

NOTICES TO VOTERS NVRA, HAVA

Whenever a voter’s registration is accepted or updated in any way, the voter receives a notice.

Voters must receive affirmation of registration. Applicants must be notified when an application is incomplete, a residence address appears to be incorrect, or ID verification fails.

For these purposes, we use:

- Acknowledgment Notices
- Verification Notices
- Confirmation Notices
- ID Verification Notices

NOTES: _____

ACKNOWLEDGMENT NOTICE

When a voter registers, transfers, changes their name, or reactivates an inactive registration, the County Auditor must mail a notice to the voter.

The County Auditor sends an **Acknowledgment Notice** whenever a voter is assigned to “active” status. It must be:

- Sent by first-class, non-forwardable mail.
- Mailed to the voter within 60 days of receipt of the application.

A voter registration card may serve as the Acknowledgment Notice. It must list:

- Voter’s full name.
- Mailing address.
- County name.
- Precinct name and/or number.
- Registration date.



The County Auditor may include additional information.

VERIFICATION NOTICE

When an application lacks any one of the five required pieces of information, **do not register the voter** (see Chapter 2, p. 4).

Try to locate the missing information. *Exceptions:* a signature or a mark confirming citizenship.

- A government resource such as LexisNexis, DOL, etc.
- A public resource.
- Phone or email the applicant.

A Verification Notice must be sent when the form is missing a signature, a citizenship affirmation, or when you’re unable to obtain missing information any other way. The purpose of the notice is to obtain the missing piece of information and to notify the applicant that a **45-day deadline** exists in which the application is viable. The notice must:

- Be sent by forwardable mail.
- Include a postage paid, preaddressed return form/envelope.
- Notify the applicant they must respond within 45 days or the application is void.
- Request missing information only. Applicants are not obliged to provide required information more than once. The Verification Notice must only ask for the missing information.

NOTES:

CONFIRMATION NOTICE

The County Auditor sends a **Confirmation Notice** whenever a piece of official mail from the County Auditor is returned to the Auditor’s office. The voter is assigned to **inactive** status because of the returned undeliverable mail.

The Confirmation Notice provides the voter an opportunity to update their address.

Required elements:

- Request voter to verify their current residential address.
- Request voter sign the oath in RCW 29A.08.230.
- Include either the voter’s date of birth, county voter ID number, or state voter ID number.
- Inform voter if he or she fails to confirm or update the address with the County Auditor, or does not vote within two federal general elections, the registration will be cancelled.
- Mailed as first class, forwardable mail.
- A postage paid, preaddressed return form/envelope.
- Mailed to the address of registration and each address where the voter could reasonably expect to receive mail.

When the voter responds, a Confirmation Notice may update a voter’s address within the county, or transfer the voter’s registration to another county in Washington State.

IDENTIFICATION NOTICE

The County Auditor sends an **Identification Notice** when a voter is registered provisionally. This occurs when ID is not provided with the application or the ID provided could not be verified.

Before sending an Identification Notice, the County Auditor may attempt to obtain ID information by contacting the voter or utilizing other government sources.

If after these attempts, you are still unable to verify the provisionally registered voter’s ID, send the Identification Notice prescribed in WAC 434-250-045.

NOTES: _____

WHICH NOTICE SHOULD I USE?

Each type of notice serves a distinct purpose. To understand which notice to send, start with the application.

- Is required information missing?
- Did the ID check fail?
- Did you receive an undeliverable ballot from a registered voter?
- Did the voter update a name?

Each answer requires a different notice.

EACH VOTER IS ASSIGNED A REGISTRATION STATUS

A voter's registration status falls into one of the following categories.

- **Active** – Voter is fully qualified to vote.
- **Provisionally Active** – The voter is registered and issued a ballot, but must provide ID prior to the ballot being counted.
- **Pending** – The record is processing or an issue must be resolved.
- **Inactive** – The voter's residential address is questionable due to information from the USPS.
- **Cancelled** – The voter is no longer registered.

ACTIVE AND INACTIVE STATUS

The default status for voters is **active** – meaning, they are eligible to vote.

A voter's status changes from active to inactive when:

- USPS provides an out-of-county change of address.
- Any undeliverable document mailed by the County Auditor is returned without address correction information.
- Any official state agency that registers voters reports an out-of-state address for an active voter. This includes information from the USPS, Department of Licensing and Department of Human Services.

In these cases, send a Confirmation Notice.

Reactivate a voter by changing the status from inactive to active when the voter:

- Attempts to vote.
- Requests a mail ballot.

NOTES:

- Updates registration information.
- Responds to a Confirmation Notice by providing a residence address located within the same county.

Unless specified by law, only the number of active registered voters determine qualifying numbers such as voter turnout or the number of votes needed to validate (*see Chapter 5*).

WHEN THE INACTIVE VOTER RESPONDS TO A CONFIRMATION NOTICE

When an inactive voter responds to the notice by providing a residence within the county, change the voter’s status to active.

When the inactive voter returns the Confirmation Notice to the County Auditor and indicates they have moved out of the county, but within Washington, the voter’s status remains inactive.

- The former county of residence does not cancel the registration; and
- Should immediately date stamp and forward the notice to the new county.

The new county confirms the transfer and activates the voter.

For detailed requirements and procedures, see Clearinghouse 12-06, [Voter Registration Transfers](#).

WHEN THE INACTIVE VOTER *DOESN'T* RESPOND TO THE CONFIRMATION NOTICE

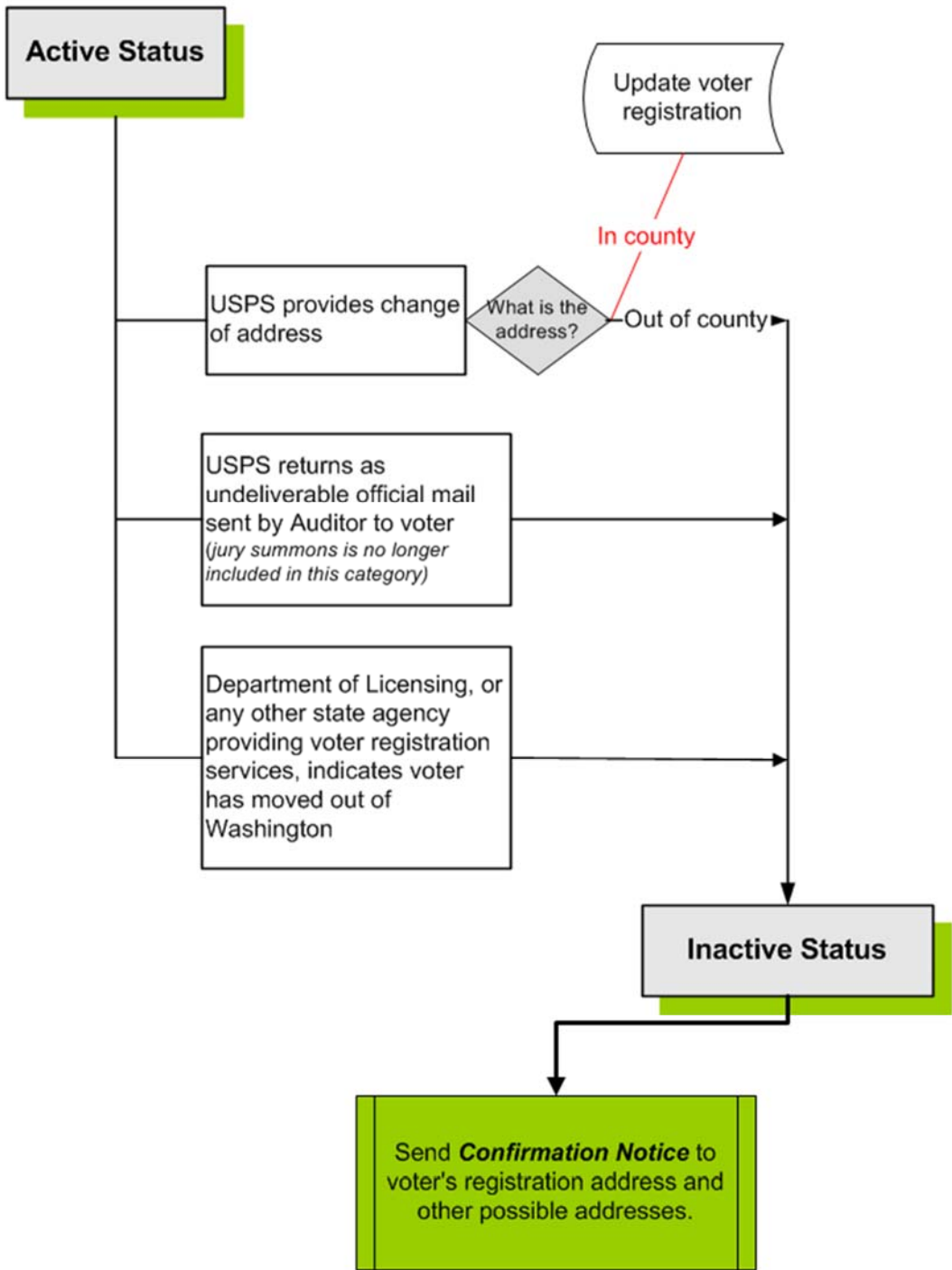
The County Auditor must wait for the inactive voter to take any of the following actions.

- Voter attempts to vote: change status to active.
- Voter confirms the address or provides a new one within the state: follow procedures for transfers.
- Voter makes no contact through two federal elections: cancel registration.

NOTES: _____

ACTIVE TO INACTIVE STATUS

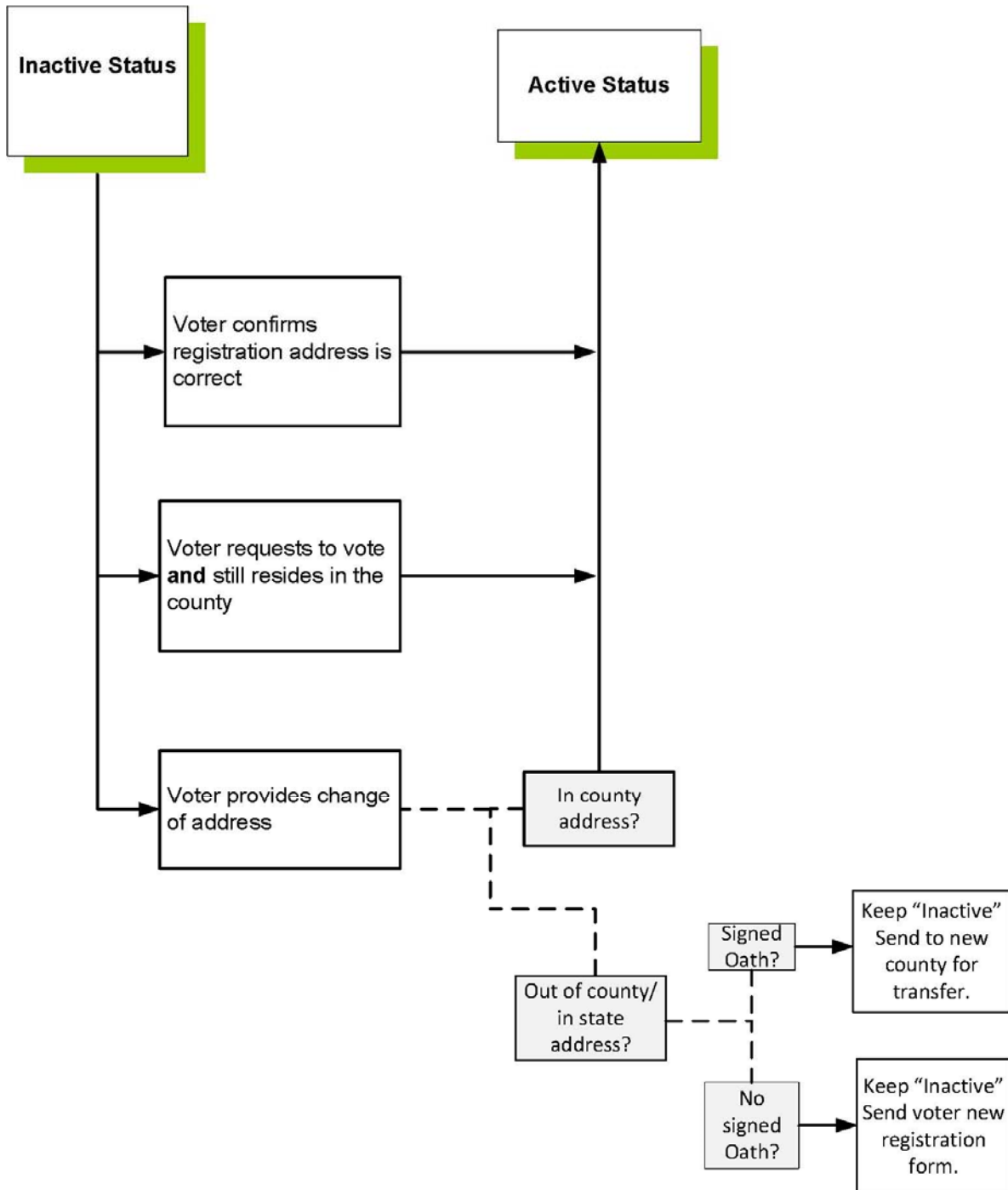
RCW 29A.08.620



NOTES: _____

INACTIVE TO ACTIVE

RCW 29A.08



NOTES: _____

VOTER REGISTRATION DATABASE (VRDB)

The official record of each voter is stored in the state **Voter Registration Database (VRDB)**. Each county's system connects to the VRDB to exchange voter registration information.

Voters move, change their name, register, pass away, or become ineligible to vote daily. Voter registration data is fluid, not static. For this reason, the VRDB is a dynamic system and requires daily review by counties.

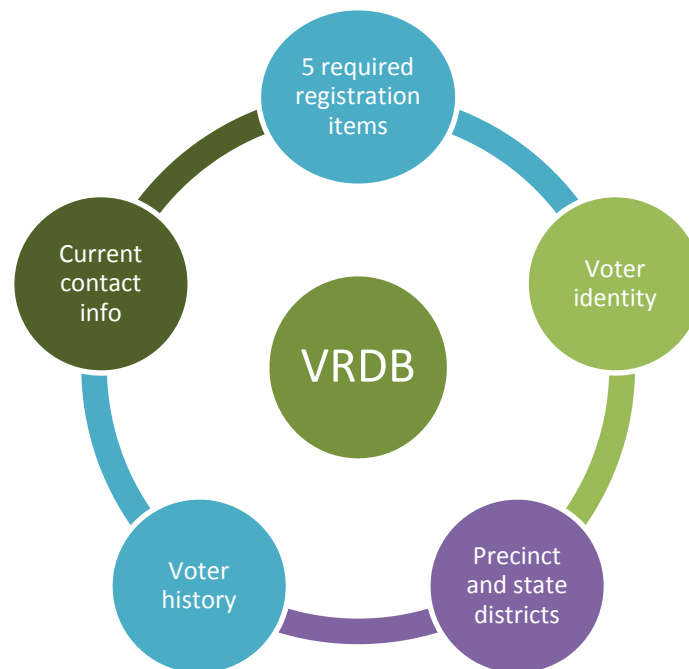
DEFINITIONS

VRS: Any county Voter Registration System that administers voter registration maintenance (election management system). Currently, counties use one of three systems: DIMS, VOTEC, or DFM.

VRDB: The Voter Registration Database is the official list of all Washington State voters.

VRDB Admin: The website that allows county users to search voter registrations and audit the information in the VRDB.

VRDB Help Manual: A dynamic electronic help manual for the VRDB. It is available at <http://weihelp.sos.wa.gov/help/vrdb/Pages/VRDBHome.aspx>.



NOTES: _____

VRDB TO COUNTY SYSTEMS

The VRDB is the official list of voters in Washington State. Although the county records may contain more detail, basic voter records must **mirror** the state system.

VRDB DATA ENTRY

Data entered into the county voter registration system pushes up to the VRDB queue.

- New voter registrations.
- Updates to existing voter registration information.
- Cancellations.

The VRDB pulls data from the queue, creates an ID number and begins various processes depending on the type of record.

COUNTY RECORDS

The VRDB completes the county record when processed data is picked up from the VRDB queue.

The county server must remain connected to the VRDB queue. View the *County Connectivity* report in VRDB Admin to verify that information is exchanging with the state VRDB. If the report shows no data exchanged, notify VR Support (VRsupport@sos.wa.gov).

ONLINE VOTER REGISTRATION AND ADDRESS CORRECTIONS

Online voter registration and motor voter registrations depend on the Department of Licensing (DOL) for all required voter information, including the signature of the voter.

Process online registrations the same as other types of voter registration.

VRDB DATA INTEGRITY PROCESSES

WAC 434-324-045

The VRDB reduces opportunities for fraud and mistakes by conducting periodic data integrity checks. Voter records verify against other county, state, and federal databases to validate voter ID, locate duplicate records, and clear the active voter rolls of non-qualified registrants.

The integrity checks identify potential issues. The county then researches and resolves each of the flagged records.

Validate Voter ID: For new registrations, the VRDB must validate DOL ID and Social Security numbers with the issuing agency. If the ID verification fails, the voter record remains active. The county elections department must assign a status of provisionally registered, pending verifiable ID. County Auditors may verify voter ID using other governmental information or the acceptable documents listed in WAC 434-250-045.

NOTES: _____

Duplicate Voter Search: A duplicate record check runs nightly in the VRDB to identify possible duplicate records, including voters transferring between counties.

Review and resolve duplicate and transfer reports daily.

Cancellations: The VRDB compares lists of deceased voters with the Department of Health, and Social Security Death Index.

The county must research those matches for potential cancellations.

Felons and the VRDB: The Secretary of State handles the cancellation of all felons through the VRDB and the Washington State Department of Corrections. For more information, see [Felons and Voting Rights](#) on the Washington Secretary of State’s website.

If you receive notification of a felony conviction, contact the Secretary of State’s Office (OSOS). Felons should not be cancelled at the county level.

DAILY MAINTENANCE

Counties must resolve data integrity issues in the VRDB Admin **before** making data entries in the county’s VRS.

Except for the **Felon Maintenance** report, review each report every day. Resolving issues in the VRDB before working in the VRS prevents inaccurate, incomplete, and “ghost records.”

Daily maintenance should include the review and resolution of the following management lists:

- Duplicate
- Transfer
- Address
- Online
- Deceased
- ID



See the VRDB Help Manual for more complete information on daily maintenance and reports.

NOTES: _____

VRDB REPORTS – PREPARE FOR AN ELECTION

Before creating ballot mailing lists, verify that VRS records match those in the VRDB.

Any voter records remaining in the **Data Audit** or **Voter Status** reports will not be included on the voter lists and will not receive a ballot. Counties must resolve data audit and voter status issues prior to an election.

ASSISTANCE

- *VRDB section* in the [WEI Help Manual](#)
- *VRSupport* at (360) 902-4194, or VRsupport@sos.wa.gov

MAINTENANCE OF VOTER RECORDS

HOW DOES A VOTER TRANSFER WITHIN THE SAME COUNTY?

To transfer (change residence address) **within the county**, the voter may:

- Update address by contacting the County Auditor in writing, in person, by phone, or by email.
- Submit an update through MyVote or DOL.
- Respond to a Confirmation Notice with a new address within the county.

HOW DOES A VOTER TRANSFER TO ANOTHER COUNTY?

To transfer into a **new county**, the voter may:

- Submit a new paper registration application.
- Submit an electronic update using MyVote or DOL.
- Respond to a Confirmation Notice that will be forwarded by the former county to the new county of registration.

The County Auditor of the new county will use the VRDB to verify whether the registration is a transfer.

NOTES: _____

For **county-to-county transfers**, a voter is only required to provide the minimum information necessary to complete the transfer.

- Name
- Residential address
- Signature to the oath in RCW 29A.08.230
- Either the voter's DOB or voter ID number

For detailed procedures regarding Confirmation Notices and transfers, refer to Clearinghouse 12-06 "[Voter Registration Transfers.](#)"

WHAT IF A VOTER REQUESTS A NAME CHANGE?

Voters must provide the following information to the County Auditor in writing (written note, VR application, etc.):

- Name on current registration
- New name
- Residence
- New signature

A **signed ballot envelope** or a **Confirmation Notice** containing all the required elements is acceptable for updating a voter's name. Retain a copy of the envelope or notice for updating the county's VRS.

WHAT CANCELS A VOTER'S REGISTRATION RECORD?

Active and **inactive** voter registrations:

- A signed request for cancellation from the voter.
- A completed transfer out of your county.
- Duplicate records in the VRDB.
- Successful challenge to a voter's registration.
- Obituary information.
- Notification of death with signature from another registered voter.
- OSOS receives information from the Department of Corrections (DOC).
- Incapacitation or Guardianship.

Inactive voter registrations **only**:

- Failure to vote or confirm registration address for a period of two federal general elections.

NOTES: _____

FELONS

RCW 29A.08.520

OSOS compares records in the VRDB with records from the Department of Corrections. The OSOS flags the felon as **PENDING**, and sends a letter to the voter. They have 30 days to respond before the registration is cancelled.

HOW ARE VOTING RIGHTS RESTORED?

For the purposes of this section, a person is under the authority of the DOC if the person is:

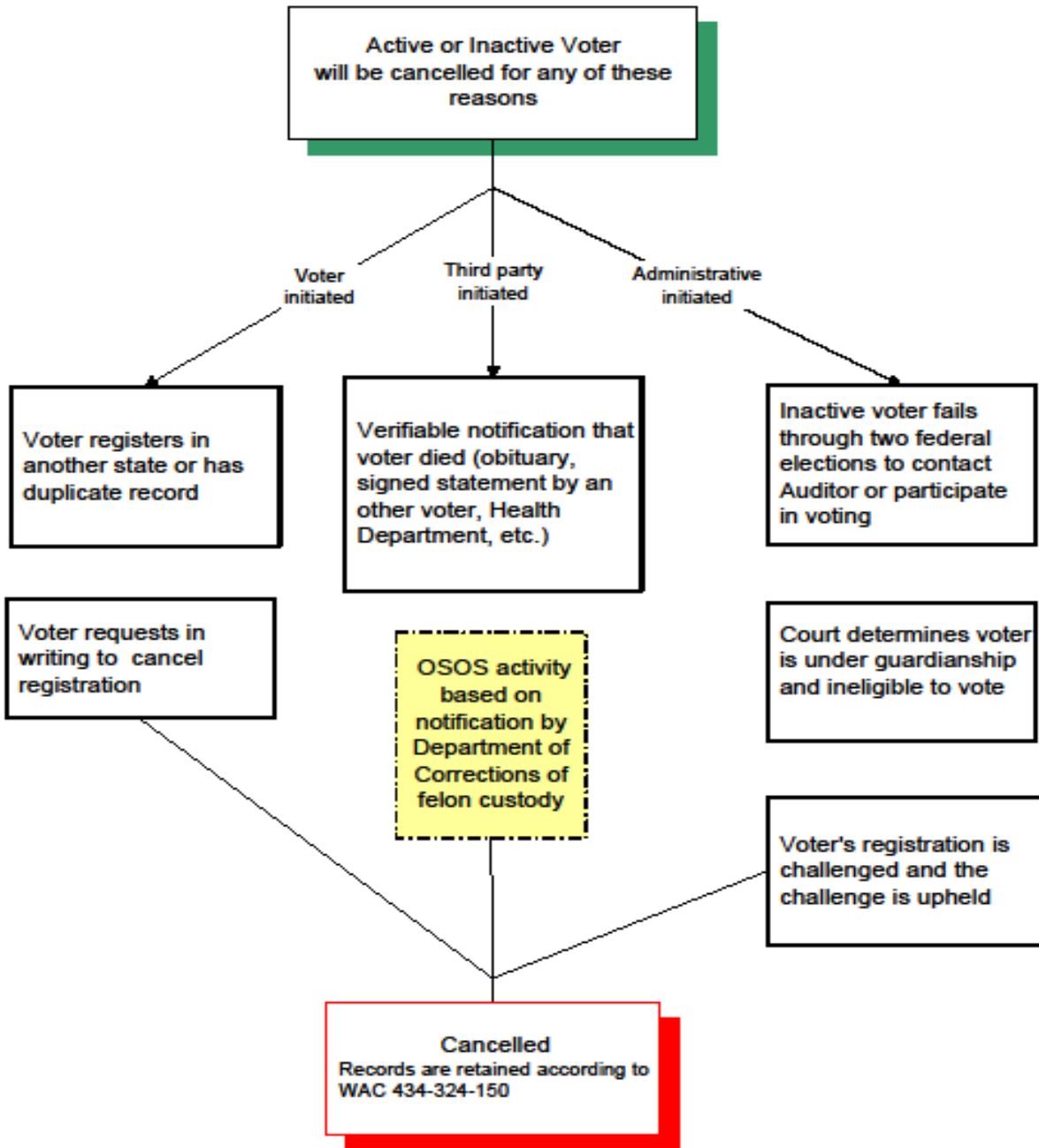
- Serving a sentence of confinement in the custody of the DOC, or
- Subject to community custody as defined in RCW 9.94A.030 (5).

The civil rights of felons, including voting rights, are restored provisionally whenever a felon is no longer under the authority of the DOC. Provisional restoration is revocable if the sentencing court determines a person has willfully failed to pay legal financial obligations.

NOTES: _____

CANCELLING VOTERS

RCW 29A.08.630 & 29A.08.640



NOTES: _____

2.2 PRECINCTS AND DISTRICT BOUNDARIES

RCW 29A.16

PRECINCT BOUNDARY RULES

Each precinct must be entirely within a single

- Congressional district
- State legislative district
- County legislative district
- City

Physically, a precinct must as nearly as practicable be:

- Contiguous or “touching” -- A single precinct may not be made up of separate parts.
- Compact -- For instance, precincts should not be long, narrow, or have parts that significantly extend beyond the main precinct body.

Use visible physical features to describe precinct boundaries.

- Streets
- Power lines
- Bodies of water
- Ridges
- Exceptions:
 - City/town boundary lines.
 - Use of physical features would substantially impair election administration in the involved area.

Precincts cannot exceed 1,500 active registered voters.

The county legislative authority may establish a different limitation, but it must be less than the maximum established by state law.

MAKING CHANGES TO PRECINCT BOUNDARIES

The county legislative authority adopts precinct lines (unless otherwise stated in a county charter).

Precinct line changes must follow certain rules.

NOTES: _____

- Permanent changes may be adopted as long as sufficient time exists to make the changes.
- No permanent changes are allowed 14 days prior to candidate filing through the end of the general election.
- Temporary precinct changes may accommodate a city or town annexation.
- Cities and towns may annex at any time. If the annexation affects an election, the voters are eligible to vote in the city or town election even if the annexation is just a few days before Election Day.

REDISTRICTING

RCW 29A.76

Redistricting apportions congressional, legislative, and internal director/commissioner districts' *population* based on the US Census. This happens at least every 10 years to guarantee equal representation. The county legislative authority must adopt new precinct lines to comply with the State Redistricting plan and the county commissioner or council internal district boundaries.

NOTES: _____

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3.1 WHEN ARE ELECTIONS HELD?

RCW 29A.04 & 29A.52

TYPES OF ELECTIONS

STATE PRIMARY

Held the first Tuesday in August.

A primary reduces the number of candidates in a race to two for the General Election ballot. Voters may vote for any candidate in a race.

Nonpartisan races **skip** the Primary to appear only on the General Election ballot:

- When it is a cemetery district or a park and recreation district.
- When less than three candidates file for office. This applies to all nonpartisan positions, including Superintendent of Public Instruction and judicial offices.

ⓘ Partisan races have a primary regardless of the number of candidates filed unless the office is an unexpired county race.

GENERAL ELECTION

Held the first Tuesday after the first Monday in November.

A General Election is an election scheduled on a fixed date at regular intervals for a specific purpose, such as electing the officers for any of these jurisdiction types. General Elections include:

- Federal offices
 - State offices
 - County offices
 - Municipalities
 - Special purpose districts (School, Fire, Water, etc.)
- ⓘ If a voter must own land to participate in a district election there may be a different election date. Refer to the RCW title specific to the jurisdiction.*

NOTES: _____

SPECIAL ELECTION

Issues or races not regularly scheduled may appear on a special election ballot. There are four dates available for special elections.

- February - 2nd Tuesday
- April - 4th Tuesday
- August (Primary) - 1st Tuesday
- November (General) - 1st Tuesday after 1st Monday

Issues concerning levies, bonds, levy lid lifts, annexations, changes in government structure, and even advisory issues may appear on the ballot on any of these dates.

WHAT TRIGGERS A SPECIAL ELECTION?

A county or district submits a resolution or measure to the County Auditor by the deadline specific to the election. District law may have different deadlines. Refer to the specific district RCW title.

- Spring special elections - 60 days prior to the election date.
- August Primary - Friday before regular candidate filing.
- November General Election - the day of the preceding primary.

SPECIAL CIRCUMSTANCE ELECTIONS

RCW 29A.56

Presidential Primary - Every Presidential election year on the 4th Tuesday in May. The law permits selection of an alternate date.

Recall Election - Respond to all requests for information on recalling elected officials by providing copies of RCW 29A.56.110 through RCW 29A.56.270. Notify the Secretary of State whenever your office files a recall charge.

NOTES:

3.2 WHAT IS ON THE BALLOT?

The races and measures that appear on the ballot are determined by:

- The type of election
- The type of office
- The year of the election
- The term of office
- The number of candidates in a race
- Jurisdiction resolutions requesting measures (issues) appear on a ballot



ELECTION TYPES RCW 29A.36 & 29A.52; WAC 434-230

Each election type serves a different purpose. The races & issues on the ballot will vary.

Election Type	Appearing on the Ballot
Primary *	Scheduled nonpartisan races w/ 3 or more candidates Partisan races Local district measures Some charter county offices PCO (precinct committee officer) races w/ 2 or more candidates
General Elections	Two top primary vote-getters (partisan and nonpartisan) Nonpartisan races that skipped the primary State initiatives and referenda Local district measures President & Vice President
Special Elections	Local district measures - Advisory votes - District formations - Changes in government structure - Levies and Bonds

*The following races skip the Primary: Park & recreational, cemetery, some judicial districts, any unexpired county partisan race w/ one candidate and PCO w/ only one candidate.

Internal districts representing a geographical sub-district (often defined as “District No.”) may require different primary ballots within that jurisdiction. Refer to a jurisdiction’s statutes to learn more.

  Judicial offices may have different rules. Always refer to *the chart* [Judicial Offices in Washington State](#).

NOTES: _____

PRESIDENTIAL PRIMARY BALLOTS

RCW 29A.56

The Presidential Primary does not determine the actual Presidential candidates appearing on the General Election ballot. It operates under different rules than the state top-two primary.

- A political party may choose to use, or not use, the results of the Presidential Primary to determine the delegates sent to the national conventions.
- Only major political party candidates may participate.
- The voter is required to affiliate with a political party by signing an oath.

ELECTIONS REQUIRING PROPERTY OWNERSHIP

Some special purpose district elections require voters own property in the district. Diking, draining and flood control districts are such district types. When conducting a General Election for these districts, always refer to that jurisdiction's statutes.

OFFICE TYPES

RCW 29A.04

CLASSIFICATIONS OF ELECTIVE OFFICES

Two classifications apply to elective offices.

Partisan – Any public office where a candidate may indicate political party preference on the ballot. State executive officials, federal senators and representatives, state senators and representatives, and most county officials hold partisan offices.

Candidates may indicate a party preference when filing, but this declaration is not a political party affiliation. Candidates are not nominees of that party.

President/Vice President and precinct committee officers affiliate with political parties. These candidates have the party affiliation printed on the ballot.

Nonpartisan – Any public office where a candidate does not indicate political party preference on the ballot. Includes the State Superintendent of Public Instruction, justices and judges, cities, towns, special purpose districts (school, fire, water, etc.) and some charter county officials.

Designation of an office as partisan or nonpartisan will determine when, or if, an office appears on the ballot. Remember, whenever considering judicial offices for the ballot; refer to the chart [Judicial Offices in Washington State](#), available on the OSOS website and at the end of this section.

NOTES:

ELECTION YEAR

RCW 29A.04, 29A.52 & 29A.80

The year of an election determines the jurisdictions participating. For example, U.S. President and Vice President appear only on the General Election ballot every four years. Charter counties may adopt different schedules for county or special purpose elections.

Year of Election Scheduled jurisdictions	Primary	General Election
<p>Odd Year</p> <ul style="list-style-type: none"> -City, town and special purpose districts -Vacant partisan offices -Vacant judicial offices (other than district court) -Regularly scheduled charter county and judicial offices 	<ul style="list-style-type: none"> Nonpartisan offices (except cemetery & park) w/ 3 or more candidates Partisan offices Judges — use Judicial Offices in Washington State chart Local measures 	<ul style="list-style-type: none"> The top two vote-getters from the primary Any races skipping the primary State initiatives and referenda (provided by the Secretary of State’s Office) Judges — use Judicial Offices in Washington State chart Local measures
<p>Even Year</p> <ul style="list-style-type: none"> -Federal & state offices -Judicial offices -Partisan county offices -Public Utility Districts (PUD) 	<ul style="list-style-type: none"> Partisan offices — all races Nonpartisan offices w/ 3 or more candidates Judges — use Judicial Offices in Washington State chart Local measures PCO w/ 2 or more candidates in major party race 	<ul style="list-style-type: none"> The top two vote-getters from the primary Any races skipping the primary (except PCO) State initiatives and referenda (provided by the Secretary of State’s Office) Judges — use Judicial Offices in Washington State chart Local measures Presidential nominees

NOTES: _____

OFFICE TERMS

RCW 29A.24

The term of office describes the length of time an elected official will serve.

Regular Term – Also described as full term.

- For most offices, the regular term is two, four or six years.
- It is not required to list the length of regular terms on the ballot.
- Winners assume the office at the official beginning of the new term which is usually:
 - Second Monday in January for state offices.
 - January 1 for county elected officials unless determined by statute or charter.

Unexpired Term – A vacancy occurring more than one year before the regularly scheduled election.

- An appointee may temporarily fill the vacancy.
- Unexpired terms are at least one year in length. If the unexpired term is less than one year, the unexpired term is considered a short term.
- It is required to list the length of the unexpired term on the ballot.
- Winners assume office immediately following certification of the General Election.

i *PCOs do not have elections for unexpired or short terms. All vacancies are filled by party appointment, not by election.*

Short Term – The brief period starting upon certification of the General Election and ending with the start of the next full term. (Short terms last about one month.) By definition, an appointee should be filling the office.

- A short term appears on the ballot in conjunction with a full term and is printed as a single phrase (short and full term).
- The winning candidate fills both the short term and regular term. The same candidate swears to an oath and takes office immediately after certification of the General Election and again when the regular term begins.

i *School directors never have a short-term position. All school director regular terms begin as soon as the election is certified.*

NOTES: _____

MEASURES

RCW 29A.24 & 29A.36

A measure on the ballot requires a **ballot title**. Ballot titles include the name of the jurisdiction asking the question, a concise description of the measure, and a question. Upon accepting a resolution, request a ballot title from one of the following:

- The city attorney, if a city or town passed the resolution.
- The county Prosecuting Attorney for all other local jurisdictions.
- The State Attorney General for state measures.

 *When sending the resolution to your Prosecuting Attorney, set a deadline for receiving a ballot title.*

After receiving the ballot title, you must send a copy to the jurisdiction for review even if there were no changes to the title submitted with the resolution. The jurisdiction has ten working days to appeal to the Superior Court.

CANDIDATES

RCW 29A.04 & 29A.24

The number of candidates filing for an office may determine if a race appears on the primary ballot, the General Election ballot, or skips to the next scheduled election (see Election Year in this section).

Office type	Skips the Primary	Skips the General
Partisan office - Unexpired term	County office with only one candidate. No candidates filed in a regular filing period.	No candidates filed in a special filing period.
Partisan office – Regular term	No candidates filed in a regular filing period. Only one PCO candidate files for the party.	No candidates filed in a special filing period.
Nonpartisan offices (other than judicial)	Fewer than 3 candidates file. Parks and Recreation district. Cemetery district. No candidates filed in a regular filing period.	No candidates filed in a special filing period.
Judicial	Use judicial chart	Use judicial chart
Charter county offices	Refer to county charter	Refer to county charter

You must notify any candidate when his or her race skips the primary ballot and moves directly to the General Election.

NOTES: _____

JUDICIAL ELECTIONS IN WASHINGTON STATE

http://www.sos.wa.gov/assets/elections/Judicial%20Chart_updated%202015.pdf

Judicial Elections in Washington State

Candidates	Municipal Court District Court Court of Appeals Supreme Court		Superior Court	
	Primary	General	Primary	General
1	No ¹	Yes ²	County population less than 100,000: No ¹ County population 100,000 or more: No because certificate of election is issued after candidate filing ³	County population less than 100,000: Yes ² County population 100,000 or more: No because certificate of election was issued after candidate filing ³
2	No ¹	Yes ²	No ¹	Yes ²
3 or more	Yes	Yes ²	Yes	Yes ²

¹ [RCW 29A.52.220](#)

² [RCW 29A.36.170](#)

³ [Article IV, Section 29](#) Note: When applied to multi-county jurisdictions, all counties in the jurisdiction must meet the population threshold.

An election to fill a vacancy in District Court may not occur in an odd-numbered year, per [AGLO 1973 No. 76](#) and [RCW 29A.04.321\(1\)](#).

NOTES: _____

3.3 CANDIDATE FILING

RCW 29A.24 & WAC 434-215

In order to appear on a ballot, candidates must file an official declaration of candidacy with the designated filing officer. Filing officers may only accept declarations of candidacy during specific periods.

PRE-FILING CONSIDERATIONS

THE PUBLIC DISCLOSURE COMMISSION

RCW 42.17A

The Public Disclosure Commission (PDC) monitors state and local candidate campaign financing, financial compliance with state law, and political advertising. Candidates running for US Congress or President/Vice President report directly to the Federal Election Commission (FEC).

County election administrators must notify the PDC of the following information:

- The names of incumbents and the number of registered voters in each jurisdiction based on the last General Election. The PDC requests counties provide this information each January.
 - Names of all candidates filing for, or withdrawing from, the ballot/election. (Filings for cemetery districts and districts where voters must meet special qualifications such as ownership of land are exempt.)
- ① *The Washington Election Information (WEI) system automatically notifies the PDC of candidate filings and withdrawals for counties using the system for candidate filing.*

PDC Reports

The County Auditor must retain any copies of PDC reports provided by candidates according to the Local Government Retention Schedule.

PDC contact information:
www.pdc.wa.gov or (360) 753-1111.

CANDIDATE PACKETS

The [PDC](#) provides candidate packets electronically and online. Printed forms are available if requested by the County Auditor around the first of each year.

NOTES: _____

LIST OF OFFICES OPEN FOR ELECTION

INFORMATION FROM JURISDICTIONS

Prior to **February 1**, the County Auditor sends a questionnaire to each local jurisdiction scheduled to elect officers in the next General Election. The questionnaire confirms information regarding open offices. At a minimum, jurisdictions need to confirm:

- The offices open for the General Election of that year, including vacancies.
- The names of incumbents currently in those offices, including appointees.
- The annual salary for each office at the time of candidate filing.

Additional information may be included.

The questionnaire should request response from jurisdictions prior to **March 1**.

 *Political parties are not considered jurisdictions.*

OFFICES OPEN FOR FILING

Prepare a list of offices sorted by jurisdiction. This list must include office positions or district designations and filing fees. Post the list online or distribute to the public at least two weeks before candidate filing.

Offices open for filing during the regular filing period:

- An office regularly scheduled for the ballot that year.
- A vacancy open prior to the first day of candidate filing *and* the jurisdiction notifies the County Auditor of the vacancy prior to the last three days of candidate filing.

 *Refer to Special Three-day Filing Period to learn about voids and vacancies.*

FILING FEES AND FILING FEE PETITIONS

Some offices require a filing fee. The salary **at the time** of filing determines the filing fee for an office. Salary does not include compensation based on meetings attended or expenditures covered as per diem.

In lieu of cash, a candidate lacking sufficient funds to pay a fee at the time of filing may submit a filing fee petition **with** the declaration of candidacy.

A sufficient filing fee petition must have one valid signature of a registered voter in the jurisdiction for each dollar of the filing fee. The filing officer is responsible for checking each petition signature against the voter registration signature. A signature is not required for portions less than one dollar. Do not round the amount up or down.

NOTES: _____

Amount of Annual Salary	Filing Fee	Filing Fee Petition Sufficiency Requirement
No salary	No filing fee	No petition signatures required
Less than \$1,000	\$10.00	Ten signatures
\$1,000 or greater	1% of the annual salary	Signatures equal to dollar amount of the filing fee

Example: The filing fee is \$406.98, so the petition must have 406 valid signatures of voters registered within the jurisdiction of the office.

CAN I ACCEPT A COMBINATION OF MONEY AND SIGNATURES?

No. The candidate either pays the full filing fee **or** submits a petition with the required signatures. Candidates filing with a filing fee petition may not file online.

MAY I ACCEPT A COPY OF PETITION SIGNATURES?

Petitioners must submit the original signatures.

CAN A CANDIDATE BRING IN MORE SIGNATURES AFTER SUBMITTING A DECLARATION?

Candidate filing deadlines apply to filing fee petitions. The candidate must submit all signatures at the time of filing the declaration of candidacy. Do not accept signatures later.

WHO SHOULD SIGN THE FILING FEE PETITION FOR CANDIDATES OF AN INTERNAL NOMINATING DISTRICT?

Any voter of the entire jurisdiction may sign the filing fee petition. Even if the office is restricted in the primary to voters of the internal district (e.g. port commissioner), any voter of the entire port district may sign the petition.

NOTES: _____

WHERE TO FILE

OFFICE OF THE SECRETARY OF STATE (OSOS)

Candidates file with the Office of the Secretary of State for:

- Federal offices
- Statewide offices
- Supreme Court Judges
- Multi-county State positions
 - State Senators
 - State Representatives
 - Court of Appeals Judges
 - Superior Court Judges

Counties accepting filings for single-county Legislative, Court of Appeals and Superior Court positions must notify the Secretary of State's Office the same day the filing is accepted.

COUNTY AUDITOR

All other offices not filing with the Secretary of State file with the appropriate County Auditor. These offices include but are not limited to:

- State offices and districts that are entirely within a single county
- City and town elected offices
- Minor taxing district offices

The WEI Candidate Filing module automatically notifies the Secretary of State and joint jurisdictions upon approval of a candidate's filing.

In multi-county districts (joint districts) other than school districts, the county with the most registered voters is the filing officer. The superintendent of public instruction designates the county filing officer for all shared school districts.

NOTES: _____

WHEN TO FILE

REGULAR FILING WEEK

The filing office must be open the entire 5-day week, even if Friday is not a normal business day.

- Begins Monday, two weeks before Memorial Day.
- Ends at the close of business the following Friday.
- Filing offices maintain regular business hours.

SPECIAL THREE-DAY FILING PERIODS

WHAT HAPPENS IF NO ONE FILES FOR AN OFFICE DURING THE REGULAR FILING PERIOD?

Provide a second opportunity for that office by opening a three-day special filing period if:

- A void in candidacy occurs. This happens if no one has filed for an office after the end of the official filing period.
- A vacancy occurs prior to the first day of regular filing week, but was not open for filing during regular candidate filing.

The County Auditor determines when to open a special three-day filing.

ⓘ PCO vacancies do not trigger a special three-day filing period. The parties are responsible for filling any PCO vacancies.

WHAT HAPPENS IF AN OFFICE HAS NO CANDIDATES AFTER THE REGULAR AND SPECIAL FILING PERIODS?

The office **lapses** and skips the current year's ballot. These vacancies appear in the next election scheduled for that type of office as an "unexpired" or "short term".

ⓘ For detailed information on managing voids and vacancies, refer to [Clearinghouse Issue 11-03](#), Filing for Office

NOTES: _____

HOW TO FILE

Candidates may file a Declaration of Candidacy in person, by mail, electronically, or online. Deadlines and rules apply to regular filing and special filing periods. A declaration received after the filing period has closed must be denied.

IN PERSON

A candidate may submit an official [Declaration of Candidacy form](#) in person or by messenger. Refrain from filling out the declaration for them; the candidate should do it.

BY MAIL

By mail means delivery through the US Postal Service.

- Declarations submitted electronically (fax, email) are not considered by mail.
- Do not accept declaration forms earlier than 10 business days before the first day of filing week.
- Wait until the first day of the filing period to process and publicize mailed declarations.

The Elections Division must receive declaration forms no later than the end of the last day of candidate filing. Delivery to another department in the county or state does not qualify as valid delivery.

ELECTRONIC (FAX, EMAIL)

RCW 29A.04.255

With the exception of filing fee petitioners, candidates may submit declarations of candidacy electronically. The filing officer should accept faxed or emailed declaration forms during the filing period.

- The same deadlines and requirements apply as for in-person filing.
- If payment of a fee is required, electronic filing is not complete until receipt of the fee.

ONLINE FILING

The Secretary of State provides online candidate filing for all state offices that file with the State Elections Division. For positions filing with a county, the availability of online filing depends on the County Auditor. County Auditors using the WEI candidate filing function may choose to use online candidate filing.

All online filing systems must be available 24 hours a day:

- Beginning exactly at 9:00 AM on the first day of filing.

NOTES: _____

- Ending precisely at 4:00 PM on the day filing closes.
- If you use the Secretary of State’s WEI candidate filing, you must review and approve every filing prior to publication on your website.
- Candidates filing electronically must pay any applicable filing fee before the filing is complete.

SPECIAL THREE-DAY FILINGS

Apply the regular filing period rules and methods when conducting special three-day filing periods.

SPECIAL CONSIDERATIONS

SPECIAL PURPOSE DISTRICTS

Districts requiring land ownership may conduct candidate filing according to that jurisdiction’s laws. The district may also require use of a different candidate declaration form and have different qualifications. Always refer to the specific RCWs for that jurisdiction first, before following RCW 29A.

PRECINCT COMMITTEE OFFICER

RCW 29A.80; WAC 434-230

Precinct Committee Officers (PCOs) are political party positions voted upon and elected in the Primary of every even-numbered year. Candidates compete against other candidates of the same political party within a single precinct.

- Each **major** political party has an elected position in every precinct. Minor political parties do not have elected precinct committee officers.
- If a single candidate files for a PCO position in a precinct, the candidate is considered elected. The position does not appear on the ballot.
- If no candidates file for a PCO position in a precinct, the party fills the position by appointment.
- Do not open a special filing period for voided or vacated PCO positions.

NOTES: _____

FILING PROCEDURES

WAC 434-208 & 434-230

At the time of filing, a candidate must be:

- Registered to vote in the district of the office, and any applicable internal district. You must confirm the candidate's voting residence lies within the jurisdiction of filed office prior to approving the declaration.
- Qualified to serve if elected. It is the responsibility of the candidate to know if they have all the qualifications required for the office (e.g. residency). The County Auditor does not determine if the candidate is qualified.

Prospective candidates may register to vote or transfer at any time **prior** to filing.

PROCESSING A DECLARATION

For each declaration, you need to:

- Verify the receipt of the filing is within the filing period, particularly if the candidate files online, electronically or by mail.
- Confirm the applicant is currently a registered voter within the jurisdiction of the office. The information on the declaration must match the information on the voter registration. If the candidate has moved, transfer the candidate before accepting the declaration.
- If the office requires a candidate registration in a sub-district (e.g. county commissioner district or school director district) you must verify this also. Possible resources: maps, assessor's lookup system or other the county graphic information system.
- Make any notations on the declaration required by your office procedures.
- Notify the candidate of the deadline for withdrawing from the ballot and that filing fees are not refundable.

Send candidate declaration information for legislative, court of appeals, or superior court candidates electronically to the Secretary of State and the PDC the same day the declaration is accepted.

***i** Filing candidates through the WEI automatically notifies the Secretary of State, the PDC, and any jointly shared county election departments.*

NOTES: _____

PARTY PREFERENCE

Candidates for partisan office, other than US President/Vice President and PCO, may indicate a party preference. This is the candidate's preference and does not indicate if the candidate is endorsed by or affiliated with that political party.

- If no choice is indicated, apply the default phrase “states no party preference” to the candidate's ballot information.
- Except as described in [WAC 434-215-120](#), there are no restrictions to the name of a political party.
- If a candidate indicates both a party preference and “states no party preference,” use the party preference written in.

President/Vice President and PCOs must declare a party affiliation.

- Political supporters nominate candidates for US President/Vice President using a convention process. These candidates affiliate with a political party or convention. In this case, party preference language is not used.
- PCO, a political party office, requires candidates indicate political party affiliation when filing. Party preference language is not used.

PROCESSING FILING FEE PETITIONS

RCW 29A.24.101 and WAC 434-215-025 prescribe filing fee petition formats. Process filing fee petitions in four steps.

1. Verify each voter signing the petition is a valid voter in the district (not the sub-district if all voters in the district vote on the General Election ballot).

- Count the first valid signature— Reject any subsequent signatures of a voter on the same petition.
- You may stop checking signatures when the number of valid signatures equals the number required.

2. Certify the petition as:

- Sufficient - If the number of valid signatures equals or exceeds the number of filing fee dollars required.
- Insufficient – Reject the petition because there are not enough valid signatures. Once submitted, do not accept additional signatures.

3. Notify the candidate of the sufficiency / insufficiency of the petition.

4. Sufficient and insufficient filing fee petitions have different retention schedules.

(<http://www.sos.wa.gov/archives/RecordsManagement/RecordsRetentionSchedulesforCountyAuditors.aspx>.)

NOTES: _____

WHAT HAPPENS WHEN A PETITION IS MISSING ESSENTIAL INFORMATION?

If the petition did not accompany a declaration of candidacy, or the petition did not meet the filing deadline, the petition is invalid.

MAY I REJECT A CANDIDATE'S DECLARATION?

Yes, but only if the declaration is 'defective as to face.'

Example 1: A candidate lists an address outside the district.

Example 2: The candidate is not a registered voter.

Example 3: A candidate has already filed for another office on the ballot (with the exception of PCO or temporary position).

MAY A CANDIDATE SUBMIT TWO DECLARATIONS?

A candidate's name may not appear more than once on a ballot unless one of the positions is for the following:

- Charter review board
- Freeholder
- Precinct committee officer

Additionally, a filed candidate cannot also be a declared write-in candidate for another office appearing on the same ballot.

A candidate must withdraw the initial candidate filing before filing for another position. This rule applies to all instances including candidates filing for the wrong office, or candidates submitting more than one filing electronically. Filing fees are not refundable.

A candidate may not reactivate or resubmit any declaration of candidacy that the candidate has withdrawn. In this instance, the candidate must file a new declaration before candidate filing ends.

MAY AN INDIVIDUAL HOLD MORE THAN ONE OFFICE?

A person may serve in more than one office during the same time as long as there is no conflict of interest as determined by the courts.

NOTES: _____

WITHDRAWALS

WAC 434-215

Candidates wishing to withdraw from the ballot may do so no later than on the **Monday** following the regular candidate filing period. Special three-day filing periods do not have withdrawal periods.

At the time of filing, candidates must be informed that:

- The last day to withdraw is the Monday following regular candidate filing.
- The filing officer must receive a signed request for withdrawal.
- A candidate may not revoke a withdrawal.
- Filing fees are not refundable.

When a candidate withdraws, unless using the WEI candidate filing module, you must notify:

- The Public Disclosure Commission.
- The Secretary of State when the office is for state legislature, court of appeals, or superior court.

If a race has no candidates after the last for withdrawals, a void in candidacy exists and you must conduct a special three-day filing period.

CAN YOU ACCEPT A WITHDRAWAL AFTER THE DEADLINE?

No candidate may withdraw from the ballot after the close of business on the Monday following the last day of filing week.

If a candidate wishes to withdraw after the deadline:

- A court must remove the name from the ballot.
- The candidate may contact the PDC to declare that, if elected, they will not serve.

WRITE-IN CANDIDATES

DECLARED WRITE-IN

Any qualified person may become a declared write-in candidate by filing a Declaration of Write-in Candidacy with the appropriate filing officer.

Write-in candidates must declare no later than 18 days before Election Day. The applicable filing fee must accompany the declaration at the time of filing. Notify the Secretary of State and all applicable County Auditors if the office is a multi-county jurisdiction.

NOTES: _____

WHO MAY NOT FILE AS A WRITE-IN?

RCW 29A.24.311

Do not accept a write-in declaration when:

- The candidate has already filed for another position on the ballot.
- The candidate filed as a regular candidate or a declared write-in candidate for the same office in the primary. This candidate may file a write-in declaration for a different office in the General.
- The filing is less than 18 days before the election or primary.

UNDECLARED WRITE-IN

Voters may cast votes for a person simply by writing in the name on the ballot.

- Canvassing Boards must count votes if the voter's intent can be determined.

 *There are no write-in candidates for PCO elections.*

BALLOT ORDER

RCW 29A.36

PRIMARY BALLOT

Determine the order of candidate names on the Primary ballot by lot draw. Order of the lot draw also applies to the ballot order for Primary sample and provisional ballots.

Conduct the lot draw after the close of Candidate Filing Week.

WHO CONDUCTS THE LOT DRAWING?

Secretary of State determines the order of names:

- Federal offices
- Statewide offices
- Multi-county Legislative and Judicial offices

County Auditor determines the order of names:

- Single county Legislative and Judicial offices. Immediately notify the OSOS of the ballot order for those offices.
- Cities, towns, and minor taxing districts. The lead county determines ballot order for shared jurisdictions. Notify joint counties of the ballot order.

NOTES: _____

GENERAL ELECTION BALLOT

The top vote-getter of a primary race appears first, followed by the second place vote-getter.

Exceptions are:

- If an office did not appear in the Primary, the names appear in lot draw order.
- Presidential/Vice Presidential nominees order is determined by political party. The candidates from the party which received the most votes in the last Presidential election are listed first, then the candidates from the political party with the second most votes is listed second and so on.
- If the top two vote-getters tie in a primary, determine the order of names for the General Election ballot by lot.

APPEARING ON THE BALLOT – SPECIAL CASES

JUDICIAL OFFICES

With the exception of Superior Court, you should manage judicial offices as you would any nonpartisan office. Judicial offices may appear on the ballot in any year.

 *For more information, refer to [Judicial Elections Clearinghouse Issue #13-01](#).*

PRECINCT COMMITTEE OFFICER (PCO)

- Only PCO races with two or more candidates in the same party appear on the ballot. No unexpired terms or single candidates are on the ballot.
- Race order depends on the number of votes cast statewide in the last Presidential election for each major political party.

THE OFFICE OF PRESIDENT AND VICE PRESIDENT

RCW 29A.04 & 29A.56

Declarations of candidacy and filing fees are not required.

Major Political Party – A political party whose nominees for President and Vice President received at least five percent (5%) of the total votes cast at the last preceding Presidential election.

- National conventions nominate candidates and submit official nominations to the Secretary of State.
- Nomination certificates must include names of official electors to serve at the electoral college.

NOTES: _____

Minor Political Party – A political organization other than a major political party.

- Nominates by state convention.
- Provides petition signed by 1,000 valid Washington registered voters.

LAPSED ELECTION

If a nonpartisan race is without a candidate after both the regular filing period and special filing period, the scheduled election for that office lapses.

- The office is not printed the ballot.
- No write-in votes will count.
- The incumbent remains in office until the election of a successor in the next regularly scheduled election for such offices. The office will appear on the ballot for the remainder of the term.

If the incumbent resigns after the special filing period, an appointee fills the position until the next election for that position.

NOTES: _____

3.4 ELECTION PREPARATION

REQUIRED NOTICES

PUBLISH IN A NEWSPAPER OF GENERAL CIRCULATION

Notice of Election (RCW 29A.52.355 & WAC 434-208-140)

Deadline: Publish 44 to 34 days before primary or election (15 to 5 days before the deadline for voter registration applications by mail).

Required content:

- Voter registration information:
 - Last day to register online/mail.
 - Last day to transfer or update an existing registration.
 - Last day to register in person for first time voters.
 - Registration locations.
- Election information:
 - Type of election.
 - Date of election.
 - How to obtain a ballot.
 - List of jurisdictions participating in the election.
 - Positions appearing on the ballot (Candidate names and addresses are not required).
 - Short titles of ballot measures (see WAC 434-208-140).
 - Where to find additional information about the election.
- Public meetings:
 - Canvassing Board Meeting Notice.
 - Dates, times and locations of public meetings associated with the election.

If a local voters’ pamphlet is available, only the items listed under *Voter Registration Information* and *Public Meetings* must be in the notice.

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Notice of Availability of Services (RCW 29A.04.220)

Deadline: 34 days before primary or election.

Required content:

- Assistance information to elderly and persons with disabilities.
- Availability of voter registration aids.
- Availability of voting aids.
- Procedures for voting calculated to reach elderly and persons with disabilities.

Notification:

- Either publish separately or incorporate into the Notice of Election.

PUBLISH SOMEWHERE

You must notify the listed persons in some fashion. You may use a combination of press releases, announcements on your web pages, letters or email to get the word out.

Notice of Logic and Accuracy Test (WAC 434-335-320)

Deadline: 24 hours before testing.

Must Include:

- Date, time, and location of test
- Purpose of test

Notify:

- Press
- Political parties
- Public
- Candidates

NOTES: _____

TARGETED NOTICES

Notice of Special Filing Period (RCW 29A.24.171, 24.181)

Deadline: No later than 24 hours prior to conducting special filing period.

Must Include:

- List of offices open for filing.
- Dates, times and location for beginning and ending of filing period.

Notify:

- Newspapers
- Radio
- Television in the county
- Post online (optional)

Notice of Recount (RCW 29A.64.030)

Deadline: At least one day before recount.

Must Include:

- Dates, times and location of the recount. Recounts begin when you begin sorting ballots by precinct (WAC 434-264-090).
- Each person entitled to receive notice may attend accompanied by counsel.
- Any observer rules you have adopted or addressed in WAC 434-264.

Notify:

- Applicant or affected parties.
- Candidates for that office.
- Media

LESS FREQUENTLY NEEDED NOTICES

Not all required notices are found in RCW 29A. The following are some of the notices required for special purpose elections:

- Notice of special primary and special election to fill congressional vacancy (RCW 29A.28.050).
- Notice of election for organization/reorganization of school districts (RCW 28A.315.275).

NOTES: _____

- Election on question of incorporation (RCW 35.02.100).
- Notice of election to disincorporation (RCW 35.07.050).
- Election of charter adoption for first class cities (RCW 35.22.070).
- Notice of election for annexation by code city (RCW 35A. 14.070).
- Petition and notice of election for transfer of city harbor (RCW 36.08.010).
- Notice of election for removal of county seat (RCW 36.12.030).
- Notice of election for bonds to fund roads and bridges (RCW 36.76.100).

BALLOT DESIGN

RCW 29A.36 & WAC 434-230

Depending on the county tabulation system, an election may need the following types of ballots:

- Official ballots
- Accessible ballots (AVUs must have ballots programmed into the units)
- Provisional ballots
- Sample ballots
- Special absentee ballots

All ballot types and styles must use the same format and must include:

- Title – Name of election, date of election, county name.
- Ballot instructions including specific instructions for:
 - Partisan primary
 - Partisan General Election
 - PCO races
- Races and candidates
- Ballot style or precinct identifier
- Clear delineation between instructions and the first measure or office.

i *For more information about ballot formatting and design requirements, refer to the [Election Preparation Clearinghouses](#) and the [OSOS Ballot Format Checklist](#) on the OSOS website.*

NOTES: _____

ORDER OF OFFICES / MEASURES / CANDIDATES

RCWs and WACs specify the order for countywide and state races and measures. Written county procedures determine placement of local jurisdiction measures and offices on the ballot.

Measures for creating a district by resolution of the county legislative authority appear as a county measure. Following creation of a district, measures and offices will appear according to county policy.

Policies and procedures should provide instruction for placement when receiving more than one measure or type of measure from a district.

Order of Candidates Within a Race	
Top 2 Primary	
ORDER OF:	DETERMINED BY:
Partisan candidates	Lot Draw results
Nonpartisan candidates	Lot Draw results
(PCO) Precinct Committee Officer	Lot Draw results
RCW 29A.36.131	
General Election	
ORDER OF:	DETERMINED BY:
Partisan candidates	Highest vote-getter in Primary
Nonpartisan candidates with a primary	Highest vote-getter in Primary
Nonpartisan and partisan candidates without a primary	Lot Draw results
President / Vice President (major political parties)	Number of votes for the party candidate cast statewide in the last Presidential Election
RCW 29A.36.131, RCW 29A.36.161, RCW 29A.36.171, WAC 434-230-045	

NOTES: _____

CREATING THE PERFECT BALLOT

WAC 434-230

A ballot must meet specific design standards set by the type of voting system and state standards. Comply with WAC 434-230-012 in font size and style, alignment, capitalization, spacing, and use of color and shading.

The perfect ballot relies on functional design and careful proofing.

Try the following proofing techniques:

- Maintain a checklist for every proofing session.
- Proof from the original documents.
- Use WEI candidate filing and check the candidates/races on ballot against the WEI list.
- Isolate proofers from distractions or move to a different room or location.
- Use two or more people and switch roles.
- Read to each other. This makes you concentrate on each word.
- Repeatedly proof using an entirely different set of eyes.

Refer to WAC 434-230-012 for formatting and use the Ballot Format Checklist on the web page for [Election Administrators](#)

SAMPLE AND PROVISIONAL BALLOTS

RCW 29A.36 & WAC 434-230

Use the same design principles and layout for sample and provisional ballots.

SAMPLE BALLOTS – THE COMPLETE PICTURE

Sample ballots contain all issues and/or races within the county. If a county's population is one million or more, sample ballots may represent a region.

- A printed copy must be available through the Auditor's Office.
- Same format as official ballot.
- Easily distinguishable from regular ballots (e.g. different color).
- Available 15 days prior to election.
- If county provides local voters' pamphlet with sample ballot, separate sample ballots are not necessary.

NOTES: _____

PROVISIONAL BALLOTS

Provisional ballots must differ from the official ballot by being:

- Visually distinguishable from the official ballot.
- Incapable of tabulation by a voting system.

You may use sample ballots as provisional ballots, provided the sample ballot complies with both requirements.

STAFFING

Base staffing on the anticipated number of return ballots. Increased staffing for an election requires:

- Training – Signature verification has a mandatory training requirement. Workers need training in public information, office procedures and policy, document management and specific tasks.
- Oaths – Signature checkers and ballot box attendants require oaths.
- Equity – If possible, appointees working at voting centers and staffed deposit sites should represent both major political parties. Obtain a list of potential workers from each party.

Time off for staff: Do not forget to allow for unplanned absences.

TABULATION EQUIPMENT

RCW 29A.12 & WAC 434-335

Good maintenance is essential to proper tabulation. You are required to have maintenance service on the tabulation equipment every year.

PRE-TESTING

You must pre-test all programming and tabulation equipment before the official tests.

Thorough pre-testing of the tabulation system (including AVUs) includes testing:

- Hardware
- Software
- Reporting results (look at all reports)
- Retesting following any changes in programming

NOTES: _____

Test and verify all:

- Ballot styles.
- Formats (alternative languages, electronically duplicated, ballot on demand).
- Voting responses.
- Printers (from any printing source you will use).

Special AVU considerations include proofing the text **and** audio.

OFFICIAL LOGIC AND ACCURACY TESTS

The Logic & Accuracy (L&A) Test is an official test of a tabulation system. The test must verify that the system will correctly count and report the votes as cast.

The event is open for public observation. The County Auditor conducts the test prior to each election. For primary and General Elections, a representative of the Office of the Secretary of State may attend. In this instance, the State will schedule the test date and time.

To prepare, the county shall:

- Provide the official test matrix and a sample ballot to the OSOS at least 14 days before the test.
- Invite political party observers.
- Draft and review all observer conduct rules.
- Notify the press, candidates and public of the date and time of testing.

Logic and Accuracy Test Requirements

- Conduct the test exactly as you count ballots during the election.
- Use the same machine operators.
- Issues, offices and candidates must appear in all appropriate precincts.
- The system must accumulate votes accurately.
- Test the system reporting of votes against the test matrix.
- Verify the upload of test results to the Secretary of State's office.

AVUs and Electronic Duplication Systems

Test AVUs prior to the official testing of the tabulation system. You may not use any untested AVU in the election.

NOTES:

Test the programming on one AVU. Test every other AVU once the base programming has been loaded.

- Test functionality of every machine.
- Test reporting and accumulation of votes.

The County Auditor must provide a log of the testing at the official L&A Test.

ALL tabulation equipment used in an election must pass the L&A testing before tabulating ballots for that election.

WHAT IF A TABULATION SYSTEM FAILS THE OFFICIAL L&A TEST?

Take the following steps if the system fails:

1. Identify and correct the issue.
2. Pretest to verify that all issues are corrected.
3. Conduct an official Logic and Accuracy test for the system component that failed.

EMERGENCY LOGIC AND ACCURACY TEST

For any failure, the County Auditor must schedule an emergency L&A pursuant to WAC 434-335-310. At least one additional County Canvassing Board member or an OSOS representative must be present.

OFFICIAL OBSERVERS RCW 29A.40.100, 12.130 & WAC 434-261-020

Major political parties may appoint official observers to watch the election process. Prior to every election, the County Auditor must in writing:

- Request observers from major political parties for all mail ballot and counting center activities.
- State the maximum number of observers allowed to observe ballot processing for each processing location.

County Auditors must provide training for official observers. Do you provide written guidelines to your observers? Anticipate their questions and concerns with a set of written instructions to describe:

- Duties and responsibilities of observers.
- The processes they will observe.
- Legal requirements for the various processes.

NOTES: _____

Be a considerate host:

- Set the boundaries. Clearly define the areas observers may freely access. If you have restrictions on activities (such as potlucks) make it known early on.
- Prepare and share staff schedules. Knowing when staff takes breaks or takes lunch will help observers arrange their day.
- Have sign-in sheets and name badges ready.
- Provide a space for observers to call their own. Designate a table, locker or shelf for purses, coats and personal items.
- Outline the appropriate ways to ask questions. Providing written **guidelines** allows for effective and accurate information, and speeds up communication between observer and the elections department.

NOTES: _____

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WHICH MATERIALS MUST BE SECURED?

BALLOTS

The term “ballots” is not restricted to printed ballots. Ballots may mean:

- Any voted ballot
- Scanned ballot images
- Emails, including deleted emails, containing voted ballots
- Tally documents
- Data, such as mobile ballot boxes (MBBs, Zip Drives, Vdrives)
- Programmed tabulators

Voted ballots and ballot images must be in secure storage except during:

- Initial and final processing
- Duplication
- Inspection by the Canvassing Board

Following tabulation, seal ballots in containers that identify the primary or election. Only open containers sealed after tabulation for the following reasons:

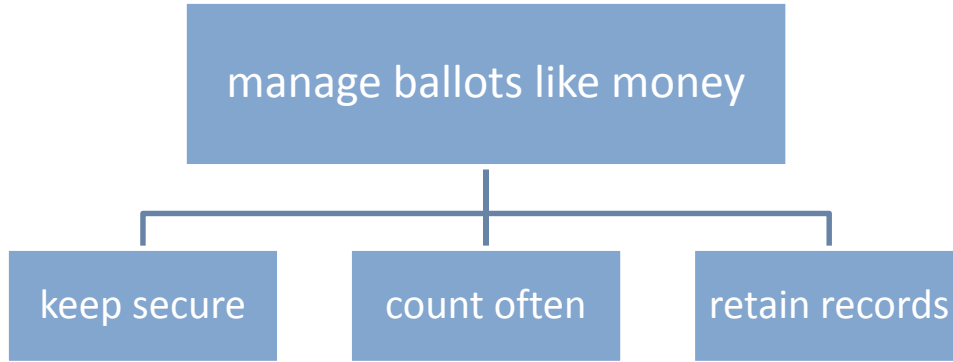
- Canvass of ballots prior to certification
- Recounts conducted per Canvassing Board directive
- Manual audit per RCW 29A.60.170 (3)
- Order of the superior court
- Consolidation into one container for storage purposes

Be sure to document access.

When the Canvassing Board opens a ballot container, include a full record of the additional tabulation or examination of ballots in the Canvassing Board documents.

NOTES: _____

Notify political parties and request observers whenever unsealing ballots.



VOTING DEVICES

Preparation of a voting device for a primary or election should include:

- Making a record of the ballot format installed in each device and the precinct the voting device will serve.
- Sealing the device with a uniquely numbered seal.

Record the seal number on a log. From the time of receipt until opening, secure all returned ballot envelopes with voted ballots.

BALLOT DEPOSIT SITES

During an election, keep ballot deposit boxes locked and sealed at all times.

Document each time a box is sealed and/or a seal is broken.

Two people, either employees or appointees of the County Auditor, must empty ballot deposit boxes together.

At exactly 8:00 pm on Election Day, all ballot boxes must either be:

- Emptied, or
- Secured with a numbered seal to prevent deposit of ballots after 8:00 p.m.

Transport ballots to the counting/processing center either:

- By at least two authorized people transporting ballot together, or
- By one person in transporting ballots in containers secured with seals and logs.

NOTES: _____

BALLOT TABULATION PROGRAMMING

Security measures apply to ballot tabulators. Secure tabulation equipment (including AVUs), databases and programming. Limit access to authorized personnel only and document all access.

ⓘ Optical scan systems must follow an approved security plan when scanning before Election Day.

NOTES: _____

4.2 ISSUING AND RECEIVING

RCW 29A.40 & WAC 434-235

ISSUING BALLOTS

In Washington State, we deliver a ballot packet to every active registered voter.

A voter may request their ballot be delivered to:

- The voter's residence,
- A mailing address, or
- An address specific to the election (may be electronic).

The County Auditor must record the ballot issue date and report the total number of ballots issued by legislative and congressional district for every election.

PROTECTING VOTER SECRECY

If a voting system prints **sequential** numbers on ballots, the County Auditor must put a procedure in place to prevent ballots from being issued to voters sequentially.

If necessary, change the sequential order of ballots by shuffling prior to inserting them into envelopes. See [Clearinghouse 13-05](#), "Protecting Secrecy of the Vote."

UOCAVA (UNIFORMED AND OVERSEAS VOTERS)

Send UOCAVA ballots 30 days before a special election and 45 days before a primary or general election.

Under UOCAVA, an overseas or service voter may request the delivery method of their ballot (postal mail, electronic). This preference applies to every election until the voter changes the information or the ballot is returned undeliverable.

If the voter does not indicate a preference, mail the ballot through the US Postal Service.

"There is no time to contact a UOCAVA voter for an address. What do I do?"

If the voter is not currently registered to vote, place the voter in the precinct encompassing the County Auditor's office for the current election.

- Count only federal races and countywide offices/issues.
- If the voter's precinct is still undetermined following the primary or election, place the voter on inactive status and send confirmation notices to obtain the voter's correct Washington residential address.

"How do I handle an undeliverable ballot sent electronically (i.e. bad email address)?"

If the voter has not provided an alternate email address, then send the ballot by postal mail.

NOTES: _____

SPECIAL ABSENTEE

Issue a special absentee ballot for a state primary or general election when:

- A voter submits a [Special Absentee Ballot Application](#) (example available on the OSOS website) indicating the official ballot will not be received in time to vote, and
- The election is within 90 days.

Special absentee ballots simply list offices and measures and are issued if a regular ballot is not available.

- Do not wait to issue special ballots; provide the voter with something as soon as you receive a request. Issue the official ballot, if available. If not, list known races and measures that the County Auditor believes will be in the election.
- Include a ballot with blank lines for the voter to write-in their votes.
- Include a listing of any candidates who have filed and a list of issues that have been referred to the ballot before the time of the application.
- Instructions accompanying a special absentee ballot must state the voter may also cast a regular ballot that, if received, will count in lieu of the special absentee ballot.

The voter is entitled to request a regular ballot in addition to the special absentee ballot.

INACTIVE VOTER REQUESTS A BALLOT

When an inactive voter requests a ballot, issue an **official** ballot (not a provisional) for the precinct listed on the current registration.

Place the voter on active status, but wait until after the election to update the voter's address for the next election.

IDENTIFICATION REQUIRED

WAC 434-250

When the County Auditor has not yet verified a voter's identification, issue the provisionally registered voter an **official** ballot.

The return ballot envelope should indicate that the voter is provisionally registered. Include an **Identification Notice** in compliance with WAC 434-250-045 with the official ballot (this is not the Acknowledgment Notice). The notice informs the voter:

- How to include a driver license number, state ID card number, the last four digits of a SSN number, or a photocopy of valid identification (include a list) with the voted ballot.
- How to return the required identification without compromising the security of the ballot.

Notify voter, "If you fail to provide identification, your ballot will not be counted."

REPLACEMENT

NOTES: _____

Issue replacement ballots to **both** active and inactive voters until 8:00 pm on Election Day.

Voters may request replacement ballots by telephone, in writing, electronically, or in person by the voter or a family member.

Keep a record of each replacement ballot issued, including the date requested.

Do not issue replacement ballots if the applicant is ineligible to vote or when you cannot find the record. (In this case, offer a provisional ballot if the voter is requesting in person.)

ADDRESS CONFIDENTIALITY PROGRAM

Send official ballots to Address Confidentiality Program (ACP) participants no later than 18 days before the election.

Mark the return envelope for delivery to authorized county personnel.

BALLOT PACKETS

WAC 434-230 & 235

POSTAL MAIL PACKETS

For All Voters

- Ballot – specific to a voter’s precinct.
- Security envelope.
- Pre-addressed return envelope with ballot declaration.
- Outer mailing envelope with required postal information. If forwarded, provide postal endorsements that send updated address information and undeliverable ballots to the County Auditor. County Auditor may decide to resend returned ballots to the new address provided by the USPS. Send the same ballot even if the voter’s address has changed.
- Instructions – specific to the election, how to mark the ballot, and type of ballot.
- State specific amount of first class postage required to return voted ballot. Find additional information and exceptions to this rule in WAC 434-250-200.

UOCAVA Voters

NOTES: _____

Packets mailed to UOCAVA voters have additional requirements.

Use special return envelopes that provide free **return** postage when mailing through US mailing services. The regular ballot declaration may be used.

Two additional items must be included:

- A ballot privacy (secrecy) sheet; election information printed on this sheet must not verify nor identify the voter in any way.
- A space for the voter to provide a telephone number.

UOCAVA voting instructions must specify:

- How to return the ballot by email, fax or postal mail.
- How to use the ballot privacy sheet when returning a voted ballot electronically.
- The need to sign the ballot declaration on or before Election Day.
- How to obtain information about the election—i.e. county website and email addresses.
- How the voter confirms their ballot was received by the elections office.
- County Auditor's complete contact information: website, mailing address, email address, phone number, fax number.

E-BALLOTS | ELECTRONICALLY DELIVERED BALLOT PACKETS

Any voter may request to have their ballot delivered electronically. UOCAVA voters require different balloting materials than those given to all other voters.

UOCAVA Voters

UOCAVA voters may choose to receive ballots via email or fax. All ballot packets must include:

- Information required for every mail ballot packet, with the addition of a postage paid return envelope.
- A ballot declaration.
- Voting instructions specific to voting an email/fax ballot.
- A privacy sheet to separate the voted ballot from the signed declaration.
- Website information for the County Auditor.
- Instructions for returning the ballot electronically by 8:00 p.m. PST Election Day or by mail.

Non-UOCAVA Voters

NOTES: _____

Requirements differ from UOCAVA voters because the return envelope is not postage paid and these **additional** instructions must be included:

- The voter must return both the electronically delivered ballot **and** paper ballot.
- Without the paper ballot, the electronic ballot cannot be counted.
- The County Auditor must receive the original voted paper ballot no later than 9 days following a special election, 13 days following a primary, or 20 days following a general election. The eBallot instructions should inform voters of the date prior to Certification Day.

UNDELIVERABLE BALLOTS

An undeliverable ballot is one that the USPS could not deliver to the voter.

The USPS may return mailed ballots to the elections office as “undeliverable.” You must request address change information from the USPS. Use the USPS information to update voter registration records. This information qualifies under the Federal National Voter Registration Act (NVRA) for changing the status of a voter.

If the address is within your county, you may resend the original ballot to the new address. Wait until after the election certification to transfer the voter.

If the voter has permanently moved out of the county or out of the state or lacks a new address, do not resend the ballot. Follow procedures to change the voter’s status from active to inactive.

Undeliverable ballots are not reported as “ballots returned” in election reports. They are just blank forms that did not reach voters as intended.

NOTES: _____

DEADLINES FOR MAILING BALLOTS

Days prior to an election	Type of ballot mailing	Requirements for requests received after deadline
90 days	Special absentee ballots	<i>Requests outside of 90 days</i> – return application or hold until deadline <i>Requests inside 90 days</i> – issue immediately. Provide write-in ballots if official ballots are unavailable
45 days	Primary and general election ballots to overseas and military voters	Requests for overseas or military ballots inside 45 days – issue immediately
30 days	Special election ballots to overseas and military voters	Requests for overseas or military ballots inside 30 days – issue immediately
18 days	Ballots for all elections are available and mailed to regular voters Ballots mailed to ACP voters AVUs available for use	Ballots requested inside 18 days – issue as soon as possible
8:00 pm Election Day	Ballots issued for requests received prior to 8:00 pm	Requests received after 8 pm will not be honored

CERTIFICATE OF MAILING

WAC 434-250

Fifteen days before a primary or election, counties must certify ballot-mailing dates to the Secretary of State. The certification verifies your county mailed UOCAVA ballots no later than:

- The 30th day prior to special elections.
- The 45th day prior to primary and general elections.
- All other ballots by the 15th day, or as soon as possible for all subsequent voter registration changes.

Blank [certification forms](#) are available on the OSOS Administrators web page.

NOTES: _____

RECEIVING BALLOTS

You may receive voted ballots by mail, electronically, or at a ballot deposit site. From the time of receipt until opening, place all received return envelopes in secure storage.

For ballots deposited by voters at deposit sites or voting centers, see requirements in OSOS [Clearinghouse 14-04](#), *Voting Centers and Ballot Deposit Sites*.

BALLOT DEPOSIT SITES

Eighteen days before every election, the County Auditor must open a minimum of **two** ballot deposit sites in different geographical locations. These locations may be either a ballot deposit site or a voting center.

At least one voting center, typically the County Auditor's Office, must be open during normal business hours starting 18 days before an election through 8:00 pm Election Day.

State law prohibits electioneering, campaigning, or petitioning within twenty-five feet of any ballot deposit site.

Procedures for managing ballot boxes are the same at deposit sites and voting centers:

- Secure boxes at all times with a lock and uniquely numbered seal. The seal, in conjunction with a seal log, documents access to the ballots. Seal logs must record when the box was opened and by whom.
- Deposited ballots must be accessible only to the County Auditor, assigned staff, or people appointed by the County Auditor.
- Transport ballots to the counting center. Two authorized people can do this together or one person can transport ballots in a container already secured with a seal and log.
- At exactly 8:00 pm, **empty or seal** all ballot drop boxes to prevent late ballot delivery on Election Day.
- Allow voters in line at 8:00 pm to vote (or finish voting) and accept their ballots.

i *Review deposit site seal logs immediately following Election Day. Are you missing a log or is the log incomplete? It is important to verify that the ballot deposit box is empty.*

NOTES: _____

UNSTAFFED SITES

Availability

Unstaffed deposit sites are available beginning 18 days prior to the election. The County Auditor may set specific hours of availability. Many unstaffed boxes are available 24 hours per day.

Secure an unstaffed ballot deposit box located in a building with a lock, seal, and seal log. Outdoor unstaffed deposit boxes must be:

- Tamper-proof.
- Weatherproof.
- Anchored to prevent removal.
- Located in convenient, well-lit areas.
- Accessible.

Operations

Empty the deposit boxes:

- Frequently enough to prevent damage to ballots.
- Frequently enough to prevent the box from becoming too full.
- Frequently enough to prevent unauthorized access.
- With no fewer than two staff members or appointees.

STAFFED SITES

Availability

Deposit sites do not issue ballots.

- The presence of a DRE (Direct Recording Electronic voting device) upgrades the location to a voting center. An ES&S AutoMark® and Verity Touch Writer do not change a staffed deposit site to a voting center.

The County Auditor establishes the dates and times that staffed deposit sites are available to voters. Staffed deposit sites open on Election Day must remain open until 8:00 pm.

Operations

At least two people must staff the site and subscribe to an oath regarding the discharge of duties. They must be:

- Employees of the County Auditor's office, or
- Representatives of different major political parties appointed by the County Auditor.

Staff must record the seal number of the box prior to the first deposit. The seal must be intact when returned to the Auditor.

NOTES: _____

Ballots returned after 8:00 pm Election Day **must** be sent to the Canvassing Board for rejection.

- Deliver the sealed, unopened ballot box/container to the County Auditor upon closing.

BALLOTING IN PERSON

IS IT A VOTING CENTER OR A STAFFED DEPOSIT SITE?

Any location that issues replacement ballots, provisional ballots, and AVU voting is a voting center.

VOTING CENTER REQUIREMENTS

AVAILABILITY

At least one voting center must be open during regular business hours during the entire voting period, starting 18 days prior to the election and ending at 8:00 pm Election Day. The County Auditor may determine the days and hours of any additional voting centers.

OPERATIONS

Requirements for staffed deposit sites also apply to voting centers.

Additionally, voting centers must:

- Be in an accessible location (ADA).
- Be marked with signage outside the building indicating it is a place for voting.
- Issue ballots - including a ballot declaration.
- Offer disability access voting, ensuring voter privacy.
- Provide provisional ballots.
- Require identification or a signed ballot declaration prior to voting on a DRE.
- Provide either a voters' pamphlet or a sample ballot.
- Provide voter registration forms.
- Display a HAVA voter information poster (with election-specific information).
- On the HAVA poster, display an example of an actual ballot or a sample ballot in substantially the same format as an actual ballot.
- Display appropriate partisan office notice.
- Provide instructions on how to mark the ballot properly.
- Provide election materials in alternative languages, if required.
- Assist voters.

NOTES: _____

- Provide a ballot deposit box.
- Secure the ballot box at exactly 8:00 pm on Election Day, or after all voters in line have cast a ballot.

ELECTRONIC VOTING ON A DRE

Prior to voting on a direct recording electronic voting device (DRE):

- Staff must verify in real time that the voter has not already returned a voted ballot by accessing the county's voter registration system. Voting centers not located at the County Auditor's Office must still access the county voter registration system.
- All voters who vote on a DRE must sign the ballot declaration.
- To vote, the voter must provide valid photo identification, or the county may compare the signature on the ballot declaration to the voter registration record. (Neither confirmation nor identification of a voter is required before using an ES&S AutoMark® or Verity Touch Writer.)

Immediately after casting a ballot on a DRE, prevent double voting by crediting or flagging the voter's registration as having already voted in the election.



ID REQUIRED FOR VOTING A DRE

Valid photo identification for voting on a DRE:

- Driver's license
- State ID card
- Student ID card
- Tribal ID card
- Employer ID card

You may either verify the voter's signature on the declaration to the voter registration signature OR require the voter to provide photo identification prior to casting the ballot.

i *A voter registration card is not photo identification.*

“What if the signature does not match and the voter has no identification?” Offer the voter a provisional ballot.

NOTES: _____

PROVISIONAL BALLOTS

When all registration deadlines have passed, a provisional must be issued when the voter is:

- Not able to provide identification.
- Not listed as active or inactive in the VRDB.

WHY ISSUE A PROVISIONAL BALLOT?

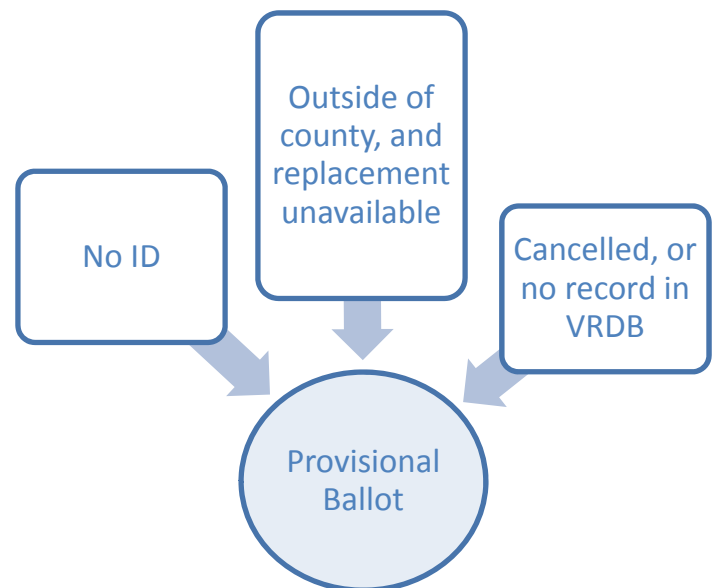
- A voter's registration is in question.
- An in-person voter cannot provide acceptable photo ID or the signature is not verifiable.
- A voter is registered in another county, but unable to vote a home county replacement ballot.

A provisional ballot packet also includes:

- A secrecy envelope.
- A provisional ballot outer envelope.
- Written notice about the free access system.

The voter must:

- Sign the declaration.
- Provide addresses (registered address, both present and former if applicable).
- Include date of birth.
- Insert the ballot inside the secrecy and outer envelopes and return to the elections staff.



Elections staff will verify that all required information is on the outer envelope of the provisional ballot.

FREE ACCESS SYSTEM

At the time of voting, provide the voter with written information on how to use a free access system. A free system must be in place for the voter to ascertain the status of their provisional ballot. Access to the system must be restricted to the voter and not open to view by others.

NOTES: _____

4.3 INITIAL PROCESSING RCW 29A.40 & 29A.60; WAC 434-250 & 261

The three phases of ballot processing: **initial**, **final**, and **tabulation**.

Initial processing refers to all steps taken to prepare ballots for tabulation. Remember, the first voted ballot received is the ballot to count.

Initial processing begins upon receipt of the ballot, including:

- Postmark verification.
- Signature verification.
- Crediting voters.
- Opening and separating envelopes.
- Manual inspection of ballots.
- Scanning (if applicable).
- Duplication, resolution, or adjudication.
- Any additional steps required to prepare the ballots for tabulation.

POSTMARK VERIFICATION

A valid mailed ballot requires a postmark date of Election Day or before. Refer any ballot envelope postmarked after Election Day or deposited later than 8 pm to the County Canvassing Board.

Exceptions to the postmark requirement:

- Instead of a postmark, UOCAVA ballots require the signature date on or before Election Day.
- When the postmark is illegible, use the date the voter signed the declaration.
- Postage that prints a date (metered or printed stickers) does not qualify as a postmark-- use the date the voter signed the declaration.
- Original ballots from non-UOCAVA voters do not require a valid postmark. Count the electronically received ballot if it arrives time-stamped no later than 8:00 pm PST on Election Day **and** the original documents arrive prior to certification day.

NOTES: _____

SIGNATURE VERIFICATION

Every valid ballot requires a signed declaration. Staff verifies that the signature accompanying the ballot matches the signature on the voter's registration record. (Voters on a DRE have the option of providing photo identification.)

Before verifying signatures, staff must:

- Attend signature verification training.
- Sign an oath.

Every county should have written procedures for accepting or suspending ballots based on signature verification.

SIGNATURE ISSUES. WHAT IF THE VOTER. . .

Is unable to sign?

If a voter is unable to sign the declaration, they may make a mark witnessed by two people. The return ballot envelope must have spaces for the signatures of the witnesses. Do not verify signatures of witnesses.

Uses a common nickname?

Accept common nicknames or initials as long as the handwriting and the last name are the same.

Signs a different name?

As long as the handwriting is CLEARLY the same:

- The last name may differ provided the first name has not changed.
- The first name may differ as long as the last name is the same.

Uses a Power of Attorney (POA)?

POA does not apply to voting. Do not accept signatures using the voter's POA.

Returns a ballot that was not issued to the voter who signed?

Count the ballot for the registered voter who actually signed the ballot declaration when:

- The voter who signed the declaration can be identified.
- The signature on the declaration matches the signature on the voter registration record.
- The voter who signed the declaration has not returned another ballot.

 *Check the precinct! You must count only the races and measures the voter is eligible to vote.*

NOTES: _____

CURE AN UNSIGNED DECLARATION (MISSING SIGNATURE)

When a returned ballot lacks a mark or signature to the declaration, the voter may “cure” the unsigned declaration.

Not less than three days before certification, notify the voter by first class mail of the steps the voter must take:

- Appear in person and sign the declaration no later than the day before certification; or
- Sign a copy of the declaration or mark in front of two witnesses and return it to the County Auditor no later than the day before certification. See [Missing Signature Form](#). Accept forms returned by email/fax, mail, or in person.
- We do not recommend sending a copy of the voter’s signature with the form.

If the voter has not responded by three days before certification, **telephone** the voter. Keep a record of the following items.

- The date of contact or the notice sent.
- The date the voter signed the envelope.
- A copy of any supporting documents such as the envelope, new registration form, or change of name form.

CURING UNSIGNED DECLARATIONS		
Actions available to voter	Deadline	Count the ballot when...
Appear in person to sign declaration	The day before certification	Signature on declaration matches the signature on voter registration record
Sign a copy of the declaration and return it to the County Auditor’s Office	The day before certification	Signature on copy of declaration matches signature on voter registration record

NOTES: _____

CURE A SIGNATURE THAT DOES NOT MATCH

Voters must cure questioned or mismatched signatures by the day prior to certification of the election or primary.

CURING NO MATCH/MISMATCH SIGNATURES			
Actions available to voter	Deadline	Count the ballot if	Signature valid for
Sign a new registration form or signature update form (includes both ballot declaration and voter registration oath)	The day before certification	Signature on new registration or update form matches signature on ballot declaration	Current and future elections Registration will be updated with the new signature

If the person whose name is on the ballot envelope does not sign the ballot, the ballot may be counted for the **signer** if they can be identified.

- The signature on the envelope must match the voter registration record.
- The voter who signed must not have returned another ballot.
- Only issues that the voter is qualified to vote upon will count.

A voter may not cure a signature after certification of the election just to qualify for recount.

SPECIAL CIRCUMSTANCE BALLOTS

REPLACEMENT BALLOTS

Both active and inactive voters may receive replacement ballots. If the voter returns two ballots, process the first valid ballot received.

If the voter returns additional ballots, send all but the first valid ballot to the Canvassing Board for rejection.

FEDERAL WRITE-IN ABSENTEE BALLOTS (FWAB)

Intended for military or overseas voter who did not receive a regular ballot. Any military or overseas elector may use an FWAB for any election.

UOCAVA voters may also be registered from a voted ballot, when a signed declaration accompanies the ballot.

Prior to processing a Federal Write-In Absentee Ballot (FWAB), refer to [Clearinghouse 14-05, Service and Overseas Voters](#).

NOTES: _____

Clearinghouse 14-05 answers the following questions:

- Who qualifies as a service voter?
- What should I do if the voter is not registered?
- What should I do if the voter also returns an official ballot?
- What should I do if a military or overseas voter does not provide a Washington State residential address?

E-BALLOTS

Accept voted ballots returned by electronic transmission no later than 8 pm PST Election Day.

Non-UOCAVA ballots:

- A copy of the ballot and ballot declaration, signed by the voter, must be included.
- The original ballot and ballot declaration must be received by the day before certification.
- If the original ballot is not received, the eBallot must be rejected.

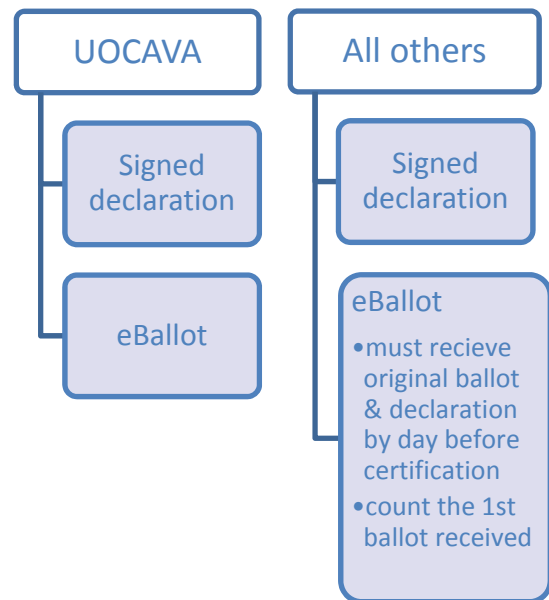
UOCAVA ballots:

- A copy of the signed declaration must be included
- The original ballot is not required.

Duplicate the eBallot if the signature on the declaration matches the voter registration record.

Secrecy of the eBallot:

- Print the eBallot and attachments
- Separate the declaration from the voted ballot by a privacy sheet or envelope
- Apply public disclosure exemptions
- The eBallot is not compared to the hard copy



NOTES: _____

NOT AN OFFICIAL BALLOT?

The state of Washington allows voting responses on something other than the official ballot.

- Confirm the voter did not already return a ballot.
- The voter must still sign a ballot declaration and it must accompany the voting responses. If a signed declaration is not included, treat it as an unsigned ballot.
- Count only the votes for offices and measures for which the voter is eligible.
- Candidate/measure must be identifiable.
- *Exception:* responses on ballots from prior elections do not count.

Duplicate the votes onto the correct precinct ballot.

PROVISIONAL BALLOTS

Before processing a provisional ballot, check the voter's registration on the VRDB.

- If registered in another county:
 - Send the ballot to that county.
- If registered in your county:
 - If the correct ballot was voted, process.
 - If the incorrect ballot was voted, process & duplicate the ballot to correct ballot style with the office and issues for which the voter was eligible.
- If not registered to vote in Washington:
 - Voter was canceled in error, reinstate registration, process.
 - Voter canceled correctly or never registered, ballot does not count.
 - Registered in another state, treat as if not registered and do not send ballot to the state.

Free Access System

Using a free access system, every provisional voter must be able to learn whether their provisional ballot counted. Requirements:

- Instructions on free access system given to voter at time of casting a provisional ballot.
- Information must be available on the system one week after certification.
- Must be free to voter.
- Must be exclusively available to voter.
- Information on the system should show the disposition of the ballot. The system shows or explains if the ballot was determined as valid and counted, not counted, or an explanation of why it was rejected, or sent to another county for determination.

NOTES: _____

CREDITING VOTERS

Credit all voters with valid ballots before certifying the election or primary. Crediting usually occurs automatically when logging receipt of valid ballots into the election management system.

Do not credit voters with rejected ballots.

OPENING AND SEPARATING ENVELOPES


In order to protect the secrecy of ballots, use a two-step process:

1. Separate the security envelopes/sleeves from the outer declaration envelopes.
2. Isolate the declaration envelopes prior to removing ballots from the security envelopes/sleeves.

Store the declaration envelopes in a logical manner – you may need to find them later.

Confirm ballots do not remain in the envelopes by doing one of the following:

- Look through the envelope hole, or
- Insert an object through the hole, such as a zip tie.

 *Be prepared. Envelopes do not always contain the correct ballot or any ballot at all! Anticipate problems when writing office procedures.*

MANUAL INSPECTION

Ensure correct tabulation by manually inspecting ballots for voter intent issues.

Inspect all ballots manually:

- Both sides of the ballot.
- Each response position.

Training for ballot inspectors should include:

- An explanation of what the county tabulation system will and will not read.
- A copy and thorough explanation of the *Statewide Standards on What is a Vote* ([WAC 434-261-086](#)).
- Any special rules that apply to the specific primary or election (e.g. Presidential Primary).
- Office procedures for write-in votes.

When manually inspecting ballots, look for anything that prevents correct tabulation of the ballot.

NOTES: _____

DIGITAL SCANNING

Scanning into a digital scan voting system does NOT tabulate votes. Unlike optical scanners, digital scan voting systems use scanning as part of initial processing, not part of the final processing.

Counties with digital scan systems must still manually inspect ballots.

Digital scan voting systems require inspection before scanning ballots into the tabulation system. Each ballot image is stored in the system ready for resolution or adjudication and tally of votes.

DUPLICATING AND RESOLVING

Duplication is the process of creating a true, readable (by the tabulators) copy of valid votes onto an official blank ballot.

A **readable** ballot is any ballot that the county vote tabulation system can accept and read as the voter intended. When a ballot is unreadable by the tabulator, you must duplicate the votes to a blank ballot.

Include ballot duplication situations and procedures in the County Canvassing Board manual.

Resolving ballots is the process of telling a digital scan voting system how to interpret voter intent issues, known as 'adjudication' in some counties.

Whether a county is duplicating or resolving, there are specific requirements that apply.

- Teams of at least two staff members.
- A log of the ballots duplicated or resolved.
- A unique control number must be assigned to the original ballot and corresponding copy.
- The duplication log must include the total number of ballots duplicated and the initials of the duplication team members.
- Resolving, because it is electronic, requires a resolution log from the system to be printed and signed by the two staff members who resolved the ballots.

When using an automated duplication program, you must compare the duplicate ballot to the original eBallot to ensure the votes match the original ballot.

NOTES: _____

UOCAVA BALLOTS

Duplication of FWABs, Electronically Received Ballots

These ballots are not typically ready to scan and tabulate. Sometimes the user is unable to print the whole ballot or you'll receive a copy that's difficult to read

In all cases, do your best to honor the voter's intent.

FWABs. Some UOCAVA voters will vote on a generic federal write-in ballot that doesn't provide candidate names or measures. These voters may not know the exact name of a candidate and will simply write in the position and name of a political party. The FWAB allows them to indicate a party preference. Count votes according to voter intent Rule R, when the Canvassing Board can discern the candidate's party preference.

If unable to determine the voter precinct, duplicate the ballot as if the voter resides at the County Auditor's Office. In this case, only count the votes for countywide issues and congressional positions.

CHALLENGES

RCW [29A.08](#)

If a voter challenges another voter's registration record **before** a voted ballot is received by the County Auditor's Office, the ballot will be set aside with a record of pertinent information, and then presented for determination to the Canvassing Board.

NOTES: _____

4.4 FINAL PROCESSING

RCW 29A.60; WAC 434-250 & 261

FINAL PROCESSING

Definition: “The reading of ballots by an optical scan voting system for the purpose of producing returns of votes cast, but does not include tabulation.”

In other words, the votes on the ballot are recorded, but the results are not totaled in a readable form.

For optical scan tabulation, final processing must wait until 7:00 a.m. on Election Day.

- If the county has a pre-approved security procedure, optical scan systems may begin the day before Election Day.

 *At no time should observers handle ballots. Only authorized staff may handle ballots.*

TABULATION

Definition: “Production of returns of votes cast for candidates or ballot measures in a format that can be read by a person, whether precinct totals, partial cumulative totals, or final cumulative totals.” In other words, this is the step that produces readable results.

Tabulation, regardless of the type of vote tallying system, may not begin before 8:00 pm on Election Day.

 *Prior to every election, confirm that all computer and support systems are accurately displaying the correct times and dates.*

DUPLICATION/RESOLUTION

During final processing, ballots may need duplicating or resolving if :

- The tabulator damages the ballot.
- Manual inspection did not detect final processing issues.

Whether discovering a ballot reading issue during initial or final processing, apply the duplication or resolution procedures consistently.

At all times, seal original and duplicate ballots in secure storage, except during duplication, tabulation or inspection by the County Canvassing Board.

NOTES: _____

WRITE-IN VOTES

To promote consistency statewide, we have rules pertaining to write-in votes. To help you manage the complex aspects of write-in voting, refer to [Clearinghouse 12-04, Write-in Voting](#).

- Election results must include the total write-in votes for each office.
- Manage write-in votes, overvotes, and undervotes during tabulation so you can easily revisit these ballots.
- Tally write-in votes for individual candidates of a race when the **sum** of write-ins, overvotes, and undervotes is sufficient to change the outcome of the race.

TOP 2 PRIMARY RACES

When only one candidate appears on the ballot, examine write-in votes for possible candidates that may qualify for the general election.

In a primary race, in order to advance to the general election ballot, a write-in candidate needs to meet both of these qualifications:

- Receive at least 1% of the total votes cast for that office.
 - Total votes cast includes votes for candidates printed and total write-in votes.
 - Overvotes and undervotes are not valid votes cast for candidates and are not used in determining whether a candidate meets the 1% requirement.
- Be one of the top two vote-getters.

What is a valid write-in vote?

Any name written in a race is a valid vote, even if the response mark is incomplete or not marked, with these exceptions.

- *Exception 1:* If a candidate's name appears on the ballot, but the voter writes in the name of the same candidate - count the vote for the candidate already printed on the ballot. This is not a write-in or an overvote.
- *Exception 2:* Only in the General Election – write-in votes for candidates who lost in the Primary are not valid votes.

When do we tally votes for candidates?

- Tally votes for individual candidates only when it could make a difference in the outcome of the election.
- You are not required to tally or duplicate individual votes for write-in candidates who are not registered to vote in the district. (These votes must be included in the total votes cast when determining the 1% threshold.)

NOTES: _____

Do we need to tally for all candidates?

- You may reject write-in votes for anyone not registered to vote in the district. Be sure to verify that there are no voters with that name before you reject the vote.
- Remember to allow for nicknames. For example, Mickey Mouse may actually be a nickname for a voter with the first name of Michael. A vote for Mickey Mouse would count for Michael Mouse, but only if he is registered to vote in the jurisdiction.

FAQS ABOUT WRITE-IN VOTING**What are write-in votes?**

Each office has a line where the voter may write in any name as their choice for that office.

Who is a declared write-in candidate?

A write-in candidate who submits a declaration of candidacy form and pays the appropriate filing fee no later than the 18th day before the election or primary.

Who is an undeclared write-in candidate?

Any candidate written in by a voter, but who has not submitted a declaration of candidacy.

Can anyone be a declared write-in candidate?

Declared write-in candidates must possess the same qualifications as regular candidates. Candidates who lost the Primary or candidates already appearing on the ballot for another office are ineligible as declared write-in candidates.

Are votes for fictitious characters valid?

The voter cast them as valid write-in votes, so the votes are totaled the same as other write-in votes. However, winning an election does not mean the winning candidate is qualified to take office. For this reason, if unqualified because the names are not registered voters, account for fictitious names as a group.

Is the vote valid if the voter did not fill in the response position on the ballot?

Yes. If the voter writes anything on the write-in line, it is a valid vote, even without a marked response position. Consider this when manually inspecting ballots. If tabulated, write-in votes without a marked response area will record as under voted (Refer to the question, "Should a ballot with a write-in vote be duplicated if the response position is not marked?").

If the voter votes for a candidate printed on the ballot and writes in a vote for the same office, is it an overvote?

Yes, *unless* the voter voted for a printed candidate and wrote the same candidate's name as a write-in. In that case, the vote is valid for that candidate.

Must I tally individual votes for declared write-in candidates?

No. Apply the same rules to all write-in candidates, declared or not. (Refer to the question, "When do you tally write-in votes?")

NOTES: _____

When do you tally write-in votes?

Report the total number of write-in votes cast for each office. Then, tally the votes for individual candidates by name only if those votes could make a difference in the outcome of the election.

“These votes need not be tabulated unless: (a) The difference between the number of votes cast for the candidate apparently 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.” *RCW 29A.60.021*

Check the results of each race to determine if you must tally for individual write-in candidates.

For offices with only one candidate appearing on the ballot, a write-in candidate only needs to receive the next highest number of votes AND at least 1% of the total votes cast in order to appear on the general election ballot. In federal, statewide, and multi-county legislative and judicial offices, individual tallies for all write-ins for single candidate races must be included in the certification report sent to the Office of the Secretary of State.

Should I duplicate a ballot with a write-in vote if the response position is not marked?

It is not required to duplicate ballots with write-ins. State law only requires that individual votes be tallied when the sum of write-ins, overvotes, and undervotes are enough to affect the outcome of the election.

Exception: The number of votes cast for Governor, including write-in votes, determines the number of signatures required for state initiatives and referenda. This total refers to all votes cast for Governor, including write-in votes. In this case report all write-in votes, including those not filling in a response position, to the Secretary of State.

For digital scan tabulation systems, should I enter the write-in vote into my system when resolving ballots?

You are not required to record the candidate’s name unless there are enough to tally individual votes. If you are required to tally these votes later, however, you will need to pull the ballots to tally the votes. To avoid this situation, some digital scan counties record the individual names of all write-in candidates during the process of resolving.

Are write-in vote tallies included in the official results of the election?

Yes, usually as a total for the write-in category. A write-in vote is a valid, recordable vote.

Should declared write-in candidates be included in the Voters’ Pamphlet?

Not for the election or primary for which they have declared. If the candidate was declared for the primary and qualified for the General, then the candidate is no longer a write-in and will be printed on the ballot and included in the General Election Voters’ Pamphlet.

NOTES: _____


FINAL STORAGE

Secure all ballots immediately after tabulation. You may separate ballots according to precinct or batch.

If a single container stores multiple precincts or batches:

- Clearly separate the precincts or batches (i.e., with a piece of colored paper)
- Note which precincts or batches are in the box on the outside label

Only open the storage containers when directed by the Canvassing Board or court order.

 *In a close race, it may be necessary to re-examine ballots with undervotes, overvotes and write-in votes. Consider this when storing ballots.*

RESULTS

Report election and primary results as:

- Cumulative.
- By precinct.

After every tabulation session is completed, results are:

- Uploaded to the WEI system before you leave for the day. Verify results are showing on your public website
- Printed out for the record
- Transmitted by email/fax to media and other interested parties

CHECK IT OUT!

Within two days after Election Day, review results for anomalies by comparing precinct-by-precinct results for each race, measure and jurisdiction. Look for any anomalies such as:

- Abnormal number of overvotes
- Abnormal number of undervotes
- Odd vote distribution (especially within a jurisdiction)
- Unlikely patterns of voter turnout



Investigate and document the cause of any anomaly. Correct any identified errors.

NOTES: _____

POST-ELECTION

Ballot counting continues after Election Day through to the final day of canvassing, because you may receive valid ballots any time during that period.

Valid ballots are defined as:

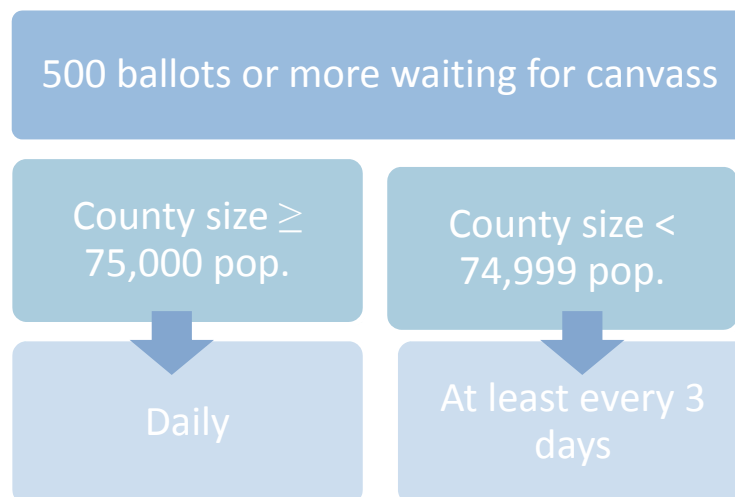
- Ballots with a valid postmark received between Election Day until the end of the day prior to certification.
- Ballots from UOCAVA voters signed no later than the day of the election and received by the day prior to certification.
- Valid provisional ballots, including those from other counties.
- Ballots canvassed and determined to be valid by the County Canvassing Board.
- Ballots duplicated after Election Day.

WHEN TO TABULATE AFTER ELECTION DAY?

The number of ballots, the length of time, and the population of the county determines when to tabulate following Election Day.

RCW 29A.60.160 mandates, "...the county auditor, as delegated by the County Canvassing Board, shall process ballots and canvass the votes cast at that primary or election on a daily basis in counties with a population of seventy-five thousand or more, or at least every third day for counties with a population of less than seventy-five thousand, if the county auditor is in possession of more than five hundred ballots that have yet to be canvassed."

Important—Update results in the WEI system immediately following every count.



NOTES: _____

**CHAPTER 5 – ACCOUNTABILITY
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5.1 COUNTY CANVASSING BOARD & VOTER INTENT RCW 29A.60

The County Canvassing Board is a three-member board that makes final determinations before certifying an election. Two of the three members, otherwise known as a quorum, must agree in order for any decision to be valid. All three members are required to certify an election.

For a handbook with laws, citations, and visuals, see our OSOS [Introduction to County Canvassing Boards](#).

WHO SERVES ON THE COUNTY CANVASSING BOARD?

Canvassing Board members must, by law, canvass ballots and certify the election.

County Auditor (or Deputy Auditor).

Prosecuting Attorney (or Deputy PA).

Chair of the Legislative Authority (or another member of legislative authority).

Members may designate in writing an alternate for a specific time or election, or until revoked by the designee. Each position must have a separate designation on file in the County Auditor’s Office prior to undertaking Board duties.

WHAT IF A CANVASSING BOARD MEMBER IS ALSO A CANDIDATE?

If possible, candidates appearing on the ballot should not serve on the canvassing board for that election or primary. The candidate may designate an **alternate** to serve in his or her place.

If no one is available to serve on the canvassing board who is not a candidate at that election or primary, the candidate may serve on the board, but may only make decisions on votes cast for other offices, an entire ballot, or groups of ballots.

Candidates must never make decisions on their own races.

- If a question involves the candidate’s race, the two remaining members make the determination.
- If the two disagree, the vote in question is not counted unless the vote could affect the outcome of the race. In that case, a representative of the Secretary of State shall break the tie.

NOTES: _____

WHAT DOES A CANVASSING BOARD MEETING LOOK LIKE?

The board is required by law to adopt written procedures.

All county canvassing board meetings fall under the Open Public Meetings Act.

A public notice must be published for every meeting.

In the course of a meeting, decisions are made by quorum. Two members of the board must agree.

Records must be kept of all meetings (written minutes, audio recording, and/or video recording).

CANVASSING BOARD DUTIES – WHICH DUTIES MAY BE DELEGATED TO YOU?

County Canvassing Boards may delegate duties in writing to County Auditor staff. Duties that may be delegated:

- Emergency Logic and Accuracy tests.
- Determining the validity of provisional ballots in certain situations.
- Breaking tied races.
- Verifying the Auditor’s abstract of votes.
- Processing special absentee ballots.
- Administering recounts.
- Voter registration challenges.
- Determining voter intent according to rules outlined in “Statewide Standards on What is a Vote.”

CANVASSING BOARD DUTIES THAT MAY NOT BE DELEGATED (TO YOU)

- Determining the validity of challenged ballots.
- Determining the validity of provisional ballots presented to the board.
- Rejecting ballots.
- Certifying the election.

NOTES: _____

WHEN DOES THE BOARD CERTIFY THE ELECTION?

- On the 10th day after a special election.
- On the 14th day after a primary.
- On the 21st day after a general election.

WHAT CONSTITUTES A VOTE?

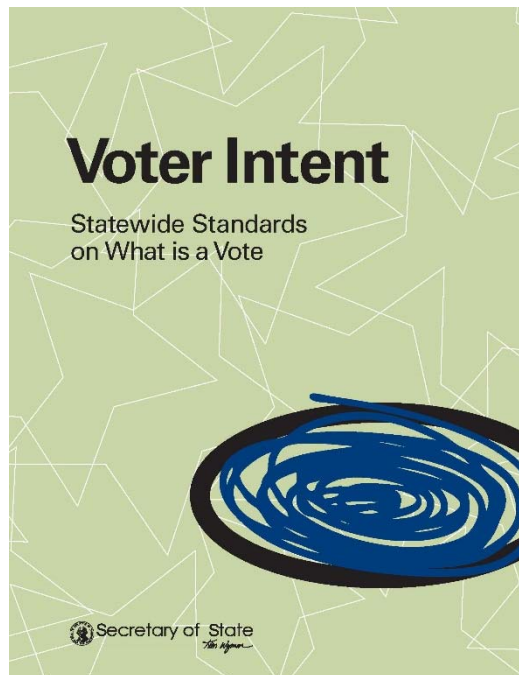
The Help America Vote Act in 2002 (HAVA) mandated that states adopt uniform standards defining what constitutes a vote and what counts as a vote for each voting system in the state.

WHAT IS THE STANDARD?

"Statewide Standards on What is a Vote"

This guide is published by the Secretary of State's Certification & Training Program in cooperation with the County Auditors and Canvassing Boards. It is adopted into the Washington Administrative Code. Included in this guide:

- Pictorial examples of voted ballots representing all voting systems currently used in Washington State.
- Provides rules for the canvassing boards.
- Strives for consistency statewide.



NOTES: _____

5.2 COMPLETING THE ELECTION

RCW 29A.60, WAC 434-262

BEFORE CERTIFYING A PRIMARY OR AN ELECTION

You must complete the following before a primary or an election may be certified:

- Audit of direct recording electronic devices (DREs) used for voting.
- Credit all voters whose ballots were valid and counted.
- Complete reconciliation reports of ballots.

You should allow time between producing the final election results and the Canvassing Board certification meeting to finalize all of these tasks.

AUDIT OF DRES

You must complete an audit of DREs before an election is certified. ES&S AutoMARKs[®], Verity Touch Writers[®] and ClearAccess[®] are not audited because these AVUs do not tabulate votes.

Each county using DREs is required to have written procedures for the audit process to include:

Auditing 4% of the total DREs used or one DRE, whichever is greater.

Auditing only if a contest has at least 11 votes cast on *each* DRE.

Selecting by random the DREs to be audited.

Comparing electronic results of three races with the race results recorded on the voter verified paper (VVPAT):

One quarter must be done manually.

Three quarters may be done with a mechanical device.

Requesting the presence of political party observers.

CREDITING VOTERS

Crediting voters is part of ballot processing. Credit the voter's registration record in the election management system only if counting votes cast by that voter.

When suspending a ballot for Canvassing Board determination, also suspend voting credit for that voter. If the Canvassing Board decides to count all or part of the ballot, give the voter credit for voting.

Complete all crediting before certification of the election or primary.

NOTES: _____

BALLOT RECONCILIATION

Account for all ballots in the final reconciliation of every election. Daily reconciliation is critical to successful final accounting of ballots.

Reconcile the numbers of:

Ballots received – as documented in initial ballot processing.

Signatures checked – found in the election management system.

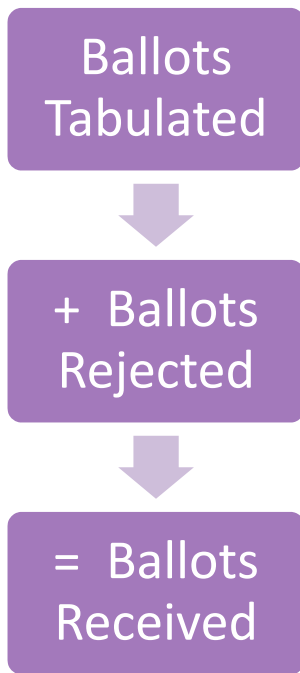
Ballots rejected by the Canvassing Board, including unresolved signature mismatches, missing signatures, late postmarks, etc. – from the Canvassing Board minutes and daily records.

Ballots counted – from tabulation reports.

Any other categories needed to account for **every** ballot received in your office.

Ballot reconciliation is not complete until all ballots are processed and reported, including provisional ballots, ballots cast on DREs, and ballots sent to the canvassing board for rejection.

We use a simple equation to reconcile ballots:



If the numbers do not reconcile, document the steps taken to resolve the discrepancy.

NOTES: _____

RECONCILIATION REPORT

When certifying an election, present a complete reconciliation report to the Canvassing Board.

State law requires reconciliation reports that document the number of:

Active registered voters, inactive voters.

Total ballots issued, received, counted, and rejected.

Total provisional ballots issued, received, counted, rejected, and sent to other counties.

Total Federal write-in ballots received, counted, rejected, and sent to other counties.

Overseas and service ballots issued, received, counted, rejected, and sent to other counties.

These numbers need to be broken out by mail, email, website link or fax.

Non-Overseas and non-service ballots sent by email, website link or fax; received by email or fax; rejected for failing to send the original hard copy or any other reason.

The number of voters credited with voting.

DRE votes (not AutoMARKS[®], Touch Writers[®] or ClearAccess[®]) issued, received, counted, and rejected.

Additional information needed to account for all ballots, such as the number of ACP and special absentee ballots.

Ballots returned by email, fax, and deposited in county ballot boxes.

If you are unable to balance the number of ballots, document the efforts to find the discrepancy on the report. The reconciliation report and discrepancy documentation must be included in the official election certification.

The Reconciliation Report must be sent to the Secretary of State for every election and be publicly available at the County Auditor's Office and/or on the County Auditor's website.

i *Do not wait until the day of certification to complete the report. Complete what you can in advance and make final adjustments just prior to certification.*

PLAN AHEAD

- Schedule Canvassing Board meetings well in advance of certification day.
- Conduct the final count the day before or very early on the day of certification.
- Finish as early on certification day as possible.
- Prepare all reports and forms, set up, and schedule support staff to cover counter and phones.

NOTES: _____

CERTIFICATION OF ELECTIONS

COUNTY RESPONSIBILITIES

The Canvassing Board must certify elections:

10 days after a special election held in February or April.

14 days after a primary.

21 days after a general election.

IMPORTANT– Canvassing Board must certify **on** Certification Day.

Certification is an open public meeting and must be posted on your website.

All Canvassing Board members, or designees, must certify the election.

Certification documents include the Auditor’s Oath and Board Certificate (must include the signatures and original seals of the Auditor), a verified Reconciliation Report, written narrative of errors and discrepancies discovered, if any, and a verified Abstract of Votes.

NOTES: _____

Oath of County Auditor or Supervisor of Elections

STATE OF WASHINGTON)

ss. COUNTY OF _____)

I solemnly swear that the returns of the (insert election) held on (insert date), in _____ County, State of Washington, have been in no way altered and that they are the same as when they were deposited in my office.

County Auditor or Supervisor of Elections

Subscribed and sworn to me this ____ day of (insert month, year).

Chairman, County Legislative Authority

Form is available at
<http://www.sos.wa.gov/elections/administrators.aspx>

Certification of the Canvassing Board

STATE OF WASHINGTON)

ss. COUNTY OF _____)

The undersigned officers designated by law as constituting the Canvassing Board for the County of _____, State of Washington, hereby certify that this is a full, true and correct copy of the Abstract of Votes including the cumulative results, precinct results, and a reconciliation report of votes cast at the (insert election) held on (insert date), in _____ County, State of Washington, and that the following are the true and reconciled numbers of voters and votes counted.

Witness our hands and official seal this ____ day of (insert month, year).

County Auditor or Supervisor of Elections

Chairman, County Legislative Authority

County Prosecuting Attorney

NOTES: _____

IMMEDIATELY AFTER CERTIFYING

Upload primary or general election results to the WEI reporting page.

Special election results for local districts are uploaded if at least one county involved uses WEI web support. The WEI Online Help Manual provides systematic instructions.

Email a scanned copy of results for state offices/measures to the Office of the Secretary of State.

OSOS RESPONSIBILITIES

No later than 17 days after a primary, the Secretary of State's office will certify results for:

- All statewide offices
- U.S. Senators
- U.S. Congressional Representatives
- Legislative and judicial offices encompassing more than one county.

No later than 30 days after a general election, the Secretary of State will certify the results of the general election for:

- All statewide offices
- U.S. Senators
- U.S. Congressional Representatives
- Legislative and judicial offices encompassing more than one county.
- All state measures

FINISHING UP

Following certification:

Issue ceremonial certificates of election to all winners for offices that filed with the county.

For general elections only - Calculate next year's validation figures for every special taxing district.

Wait to change data in the VRDB until after certification and/or validations figures.

Organize and label records by election type and date.

 *When storing documents, include the "hold until" retention date and the document retention number on the label.*

NOTES: _____

VALIDATION FIGURES

WA CONST. ART. VII §2

Validation numbers are used to determine the minimum number of votes required for passage of levies and bonds. Following each general election, determine the validation numbers for every minor taxing jurisdiction in your county. These numbers are based on the unaltered list of credited voters from the preceding general election.

Create a validation number report **immediately** after certification of the general election.

Do not process name changes, transfers, or voluntary cancelations until validation numbers are calculated and recorded.

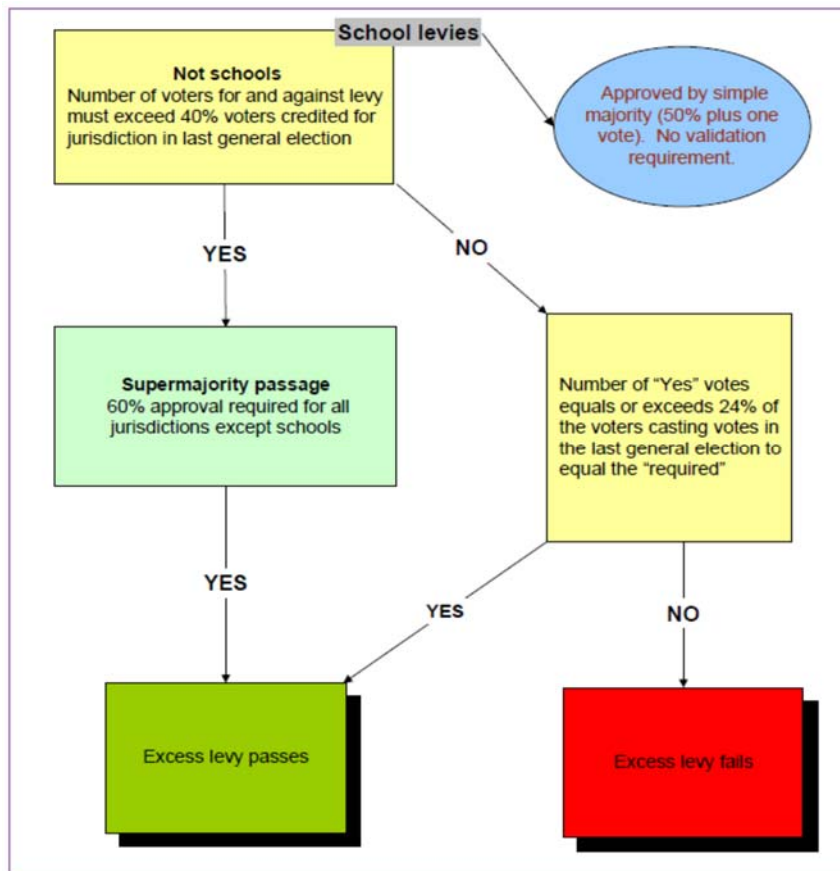
Depending upon the type of levy or bond, validation figures may be:

Simple majority - 50% plus one vote.

Supermajority - 60% of the votes cast.

A bond or levy may also need to meet a minimum number of voters participating in the election equal to 40% of voters casting ballots in the district in the last general election to pass.

A levy may pass if "yes" votes equal 60% of the 40% validation number, if the number of voters participating does not meet the 40% minimum.

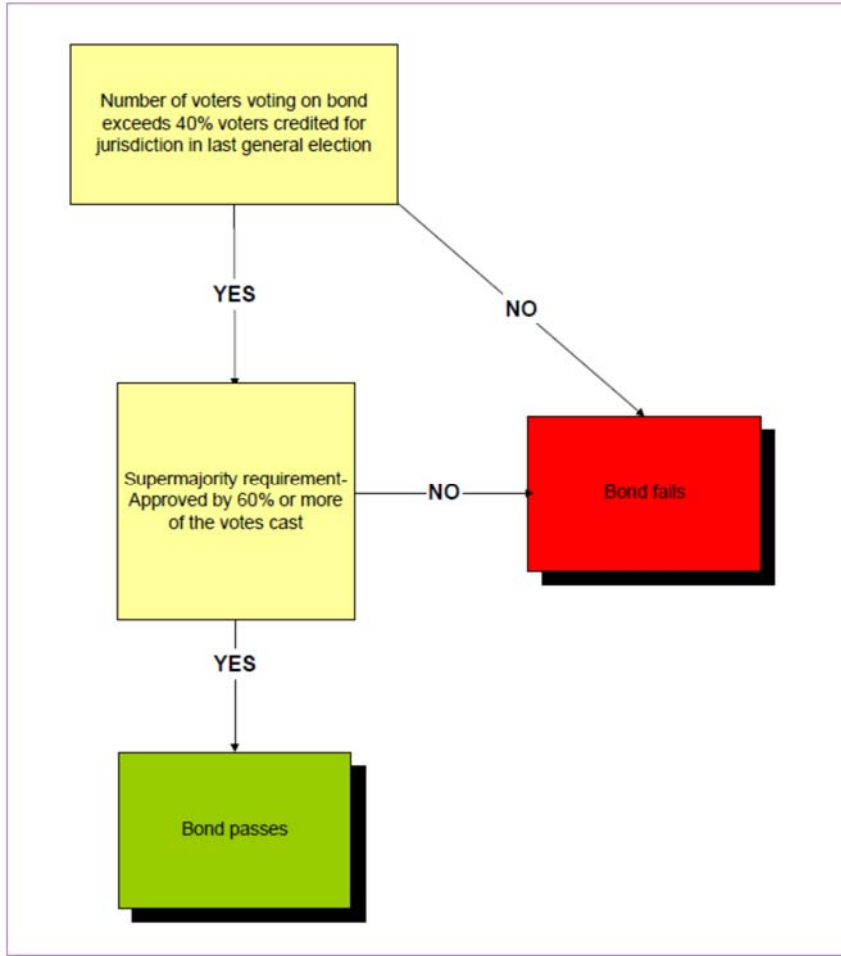


PASSAGE OF AN EXCESS LEVY UNDER 60/40 RULE

All district excess levies (except for those proposed by school districts) must meet or exceed a minimum voter participation level.

Determine the minimum by either the number of votes cast or the number of "yes" votes cast.

NOTES: _____



PASSAGE OF A BOND

Passage of a bond, regardless of the type of jurisdiction, requires that total votes cast meet the validation number *and* the 60% approval rate. A bond measure must meet both requirements or it fails.

i For more information, refer to the “Bonds and Levies” Clearinghouse on the Secretary of State’s website at <http://www.sos.wa.gov/elections/auditorsCTP/ClearinghouseNotices.aspx>.

RECORDS RETENTION

Retain all records, including electronic files, according to the retentions schedules found at <http://www.sos.wa.gov/archives/RecordsRetentionSchedules.aspx>.

5.3 RECOUNTS

29A.64, WAC 434-264

DEFINITION

A recount is re-tabulating the votes, including write-ins, for a specific office or issue on all valid ballots cast in a primary or election. If a ballot has been duplicated, the duplicate ballot (not the original) shall be counted.

NOTES: _____

WHAT INITIATES A RECOUNT?

Recounts can be mandatory or by request. State law requires a recount if the number of votes for each candidate is within a specified range. By law, you cannot recount a race or issue more than twice.

Jurisdiction	Requested Recount	Mandatory Recount	Hand Recount
Statewide Race	Written request within 2 business days of state certification by candidate or political party	Less than 2000 votes, AND Less than ½ of 1% difference	Less than 1000 votes, AND Less than ¼ of 1% difference
State Measure	Written request within 2 business days of state certification by 5 or more registered voters	Less than 2000 votes, AND Less than ½ of 1% difference	Less than 1000 votes, AND Less than ¼ of 1% difference
Congressional, Legislative, Judicial or Local Race	Written request by candidate or political party within 2 business days of state or county certification, depending on the office	Less than 2000 votes, AND Less than ½ of 1% difference	Less than 150 votes, AND Less than ¼ of 1% difference
Local Measure	Written request within 2 business days of county certification by 5 or more registered voters	No mandatory recount	No mandatory recount

REQUESTED RECOUNTS

State law determines who may request a recount in writing.

For an office: by a candidate of that office or officer of a political party only.

For a measure or question: by any group of five or more registered voters only.

The requester must submit a request for a recount within two business days of certification of the election.

For state offices, state measures and multi-county state offices, the request is filed with the Secretary of State.

For single county, state, and local offices and minor taxing districts, the request is filed with the County Auditor with whom candidates for that district file.

Included in a request:

- The office or issue for which the recount is requested.

NOTES: _____

- Whether the recount is a machine or manual count.
- If all or only a portion of the precincts are to be recounted.
- A deposit depending upon the way the recount is conducted.
 - Machine recount \$.15 per ballot.
 - Manual recount \$.25 per ballot.

The requester is responsible for the entire cost of the recount and will receive a bill or refund for the difference.

Conduct a requested recount in the same manner as a mandatory recount.

The requester may stop the recount at any time; however, a recount cannot be stopped before completion if the result would reverse the outcome.

If a partial recount reverses the outcome of the election, recount all the ballots for that race or question.

If a full recount reverses the outcome of the race or question, the deposit is refunded.

MANDATORY RECOUNTS

Mandatory recounts occur when the votes for offices or statewide measures fall within the statutory range. State law does not provide for a mandatory recount of a local issue.

Mandatory recounts of any office or state measure, by machine or by hand, occur when the difference between the two candidates or state measure choices is:

- Less than 2000 votes difference, AND
- Less than $\frac{1}{2}$ of 1% of the total votes cast for the office or issue.

For statewide offices or measures, you must recount votes by hand if the difference between the two candidates or choices is:

- Less than 1000 votes, AND
- Less than $\frac{1}{4}$ of 1% of the total votes cast for the office or issue.

For all other offices, you must recount votes by hand if the difference between the two candidates is:

- Less than 150 votes, AND
- Less than $\frac{1}{4}$ of one percent of the total votes cast for the office or issue.

Alternative method—All candidates may agree to use an alternative recount method.

NOTES: _____

WHICH CANDIDATES ARE RECOUNTED?

The type of election determines which candidates meet the recount threshold and require a recount.

In a primary, the second and third highest vote getters may require a recount.

- The highest vote getter automatically advances to the general election.
- If the top two are the close candidates, no recount is necessary.

In a general election, the top two vote getters may require a recount.

CONDUCTING A MACHINE RECOUNT

You may choose to recount by hand or machine if the vote difference does not require a hand recount.

The County Canvassing Board sets the date and time of the recount.

The Secretary of State may set the certification date in a multi-county recount.

The applicant and affected people are officially notified one day before the recount.

Observers are allowed.

Different types of observers are prioritized in WAC when space will not accommodate all observers.

Assemble the ballots to be recounted in the presence of observers.

Votes previously determined by the County Canvassing Board are counted as directed by the Board.

Ballot issues found during the recount, not previously addressed or included in the original count, are determined by the County Canvassing Board.

Recount results are by precinct and only include the office or issue recounted.

DIGITAL SCAN SYSTEMS

In a machine recount, program digital tabulation equipment to identify all ballots that include an under voted office or ballot measure subject to the recount. Inspect for valid votes not correctly counted by the tabulation equipment. Refer votes not correctly counted to the County Canvassing Board.

NOTES: _____

OPTICAL SCAN SYSTEMS

In a machine recount, optical scan tabulation equipment must be programmed to out-sort all ballots that include an undervoted and overvoted office or ballot measure subject to the recount.

Inspect for valid votes not correctly counted by the tabulation equipment. Refer votes not correctly counted to the County Canvassing Board.

May a Canvassing Board determine if a recount is conducted by machine or by hand?

Yes, as long as a hand recount is not required. Coordination with other counties may be necessary for joint districts.

CONDUCTING A HAND RECOUNT

Hand recounts are conducted in the same manner as machine recounts up to running the ballots through a tabulator.

Votes are tallied by counting board(s), comprised of at least two members:

- o One representative from each of the two major political parties; or
- o Two staff members from the County Auditor’s Office.

Recount only the votes for the office or issue.

Each board will receive one precinct at a time. (You may use batches only if the County Auditor produces election results by batch for comparison. However, you must produce final recount results by precinct.) Counting boards:

- o Sort ballots into separate stacks, one for each candidate or response, undervotes, overvotes, and write-ins.
- o Manually count each stack by each board member to confirm the number of votes in each stack.
 - Report results *If* the members’ counts match.
 - Count ballot stacks again *If* the counts do not match.
 - Send ballots to another counting board *If* the counts still do not match after a second count.

The procedure for completing the recount is the same as a machine recount.

NOTES: _____

CERTIFYING A RECOUNT

The County Auditor prepares an amended abstract of the recounted ballots for the County Canvassing Board. The abstract includes results only for the recounted office or measure:

- A revised cumulative summary
- Votes cast in each precinct

The County Canvassing Board must review and approve the amended results. If the results do not match the original results, the board will verify that all the ballots have been recounted and all discrepancies are resolved.

TIED RACES

If the recount results in a tie, the winner is determined by lot.

Depending upon the office, the County Canvassing Board or the Secretary of State designates the time and place for the lot draw, notifies the affected candidates, and certifies the winner.

Measures are not subject to lot draws—they have enough votes to pass or they fail.

NOTES: _____

Glossary of Terms

Abstract of Votes	The official statement of votes cast for an election or primary as prepared by the County Auditor. A preliminary abstract must be prepared prior to certification, corrected and presented to the canvassing board at certification of the election.
ACP	Address Confidentiality Program. A program implemented by the Secretary of State which allows certain voters' registration data to be kept out of public record for their protection. Two election administrators in each county maintain the county program for these voters.
Adjudication	Electronic determination of voter intent on a digital scan tabulation system, similar to ballot duplication.
AVU	Accessibility Voting Unit. Any voting device that complies with the American Disability Act and Help America Vote Act and is certified at the state and federal level to provide independent voting to persons visually and/or manually challenged. Also see DRE.
Ballot Accountability Sheet	A form completed by election workers at a voting center recording the number of ballots issued (including provisional ballots).
Ballot Deposit Site	A location that only receives ballots. A site may be staffed by two people or unstaffed.
Ballot Box	A box provided by the county for voters to deposit ballots that is secured using seals and seal logs. An unstaffed ballot box is secured so that envelopes, once deposited can only be removed by authorized staff. If located outdoors, must be constructed of durable material able to withstand inclement weather and be sufficiently secured to prevent removal. Unstaffed boxes are available 18 days prior to Election Day.

Ballot Duplication	Making a true copy of valid votes from ballots that may not be counted by the tabulation system as the voter intends. Ballots may be duplicated on blank ballots or by making changes to an electronic image (resolving). The original ballot may not be altered in any manner. A signed duplication log must be retained as part of this record.
Ballot Duplication Log	A numerical record of the relationship between original ballots and duplicate ballots. The log shows the number assigned to a duplicated set and the two people who duplicated the ballot.
Ballot Marking Code	The coded patterns printed on the ballot intended to identify the ballot style to the ballot counting system.
Ballot Path	The process ballots follow from the ballot box until final storage upon certification of the election.
Ballot Tabulator	A system or machine used to tally votes from ballots.
Canvass, Canvassing	The process of examining ballots, subtotals, and cumulative totals in order to determine the official returns of a primary or election. This process includes the tabulation of any votes that were not tabulated at the counting center on the day of the primary or election.
Canvassing Board	The County Auditor, the County Prosecutor, and the Chair of the County Legislative Authority or their designee. The Board is responsible for canvassing ballots and certifying elections. Some duties may be delegated.
Canvassing Board Designee	A person designated by the Canvassing Board to carry out one or more of the statutory responsibilities the Canvassing Board is allowed to delegate.
Counting Center	The location where ballots are processed and counted.

DRE	Direct Recording Electronic voting device. Also known as an AVU. Any voting device that complies with the American Disability Act and Help America Vote Act and is certified at the state and federal level as an AVU by providing independent voting to persons visually and/or manually challenged. Any voting unit that records a vote electronically, does not use a paper ballot, and creates a paper record verifiable by the voter.
Digital Scan System	A voting system that creates a scanned image of the voted ballot. Responses are recorded by reviewing the image and voter intent issues are resolved digitally.
EAC	Election Assistance Commission. The federal commission charged with developing voting system guidelines; providing a national program for testing, certification, and decertification of voting systems; maintaining federal registration information; reporting to Congress the effects of the NVRA; administering HAVA funds at the federal level; and studying best practices and other matters relevant to the effective administration of federal elections.
EMS	Election Management System. The system used by a county to manage voter records. This system sends data to the VRDB.
Election Observer	A person officially designated by a major political party to observe election procedures.
Final Processing	The reading of ballots by an electronic vote tallying system to produce election returns of votes cast, but does not include final tabulation.
FPCA	Federal Post Card Application. A postage-free postcard distributed by the FVAP for use by voters covered by UOCAVA.
FVAP	Federal Voting Assistance Program. Provides information for US citizens covered by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). The FVAP website is http://www.fvap.gov .
HAVA	Help America Vote Act. Federal legislation enacted in 2002.

Header Card	A card fed into a ballot scanner indicating the beginning of a batch of ballots. It is used to tell the ballot tally system the precinct or batch that is being counted.
Initial Processing	The preparation of ballots for tallying. It includes verification of signatures and postmarks, separation of ballots from envelopes, manual inspection, scanning, and resolution/adjudication or duplication of ballots.
L&A Test	Logic and Accuracy Test. An official test to verify the ballot tabulator and programming is correctly counting each style of ballot and accurately producing cumulative totals. L&A tests are required prior to every election and may be observed and certified by the Secretary of State's Office for each primary and general election.
Manual Count	A manual tally of an office or issue on a single precinct's ballots prior to a mechanical tally. The results are then compared to a mechanical tally of the same ballots. This process is jointly requested by observers representing each major political party.
Manual Inspection	The process of inspecting each voter response position on each voted ballot. Inspection is performed as part of the initial processing.
MyVote	An online voter registration tool maintained by the Secretary of State. Allows voters to register, make updates to their registration, check the status of their registration, view a customized voter's guide, find a drop box or voting center, print a replacement ballot, and view their voting history.
NVRA	National Voter Registration Act. Federal legislation enacted in 1993. Commonly known as the "Motor Voter" act because it established voter registration through state licensing agencies.
OLVR	Online Voter Registration. Allows voters to register and update a registration online. The system integrates the DOL driver license record web service for information sources and validation. See MyVote.

Online Candidate Filing	Allows candidates to file online provided the filing officer is managing offices open for filing through WEI Admin. Candidates and offices are matched using the VRDB.
Optical Scan System	Mechanical tabulation system utilizing optical scan of response areas on printed ballots.
Precinct	A geographical subdivision for voting purposes established by a county legislative authority.
Provisional Ballots	Ballots issued when there is a question regarding a voter's eligibility to vote. A provisional ballot may be issued by a voting center or by election officials at the Auditor's Office for any reason. Validity of provisional ballots is researched using a voter's registration information and is subject to final decision by the county canvassing board.
Receiving Board	A group of election workers that receive the ballots at the counting center on Election Night.
Recount	The process for confirming the tabulated votes for a specific office or issue. Only ballots tallied in the certified results for that office/issue will be recounted.
Replacement Ballot	A ballot replacing the voter's original mail ballot. Ballots may be requested by phone, email, mail, or in person. Voters may also use MyVote to print a replacement ballot.
Resolution	Using a scanned image to resolve questionable votes. After each session, a log of the resolutions must be printed and signed by the team that resolved those ballots.
Seal	Numbered seal used to secure containers of ballots. The seal, once applied to the container, must be destroyed to access the contents.
Seal Log	A list recording the seal numbers used, the two people applying or breaking a seal, the date applied and removed, and the reason for removing the seal.

Service Voters	Voters (or electors) who are members of the armed forces, a US Military Academy or a group officially attached to the armed forces. Depending on the election type, service voters are issued ballots 45 days or 30 days before each election. Service voters are not held to the postmark requirement; the date of signature is used to validate the ballot.
Tabulation	The process of tallying votes into a readable format, whether as precinct totals, partial cumulative totals, or final cumulative totals. Tabulation may not begin until after 8:00 PM on the day of the election.
Tally	See tabulation
Test Deck	The group of ballots used in a Logic and Accuracy test to verify the accuracy of the vote tallying system.
UOCAVA	Uniformed and Overseas Citizens Absentee Voting Act. The act specifically defines voting services to U.S. citizens who reside outside the United States, U.S. citizens who are members of the Uniformed Services and their family members. The term UOCAVA is refers to these citizens or any special service provided to these citizens.
Uniformed Services	U.S. Armed Forces (Army, Navy, Marines, Air Force and Coast Guard), merchant marine, commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration. Also known as service voters.
Valid Signature	1) A signature on a ballot envelope verified against the registered voter's signature on file, or 2) a mark with two witness signatures.
VVPAT	Voter Verified Paper Audit Trail. This is an independent verification system for direct recording electronic voting machines (DREs) designed to allow voters to verify that their vote was cast correctly, to detect possible election fraud or malfunction, and to provide a means to audit the stored electronic results.

VRDB	Voter Registration Database. This is the official record of voter registrations maintained by the state.
Voting Center	A county location that provides voter registration materials, ballots, provisional ballots, accessible voting units, sample ballots, instructions on how to properly vote the ballot, a ballot drop box and voters' pamphlets, if available.
Voting Response Area	The area on a ballot where the voter may make a mark indicating their choice. The voting response area must be clearly indicated in the instructions.
Voting System	Total combination in a county of all tabulation equipment. This includes all software, firmware and documentation required to program, control, and support the equipment.
WEI Admin	Washington Election Information. Application for SOS and county users to manage the office information, election results, and data displaying on web.
WEI Author	Application to support web service for County Auditors and county election departments. WEI Web allows a county to display template pages with the county look and feel. The program allows the county to remove or edit pages on the website.

STANDARDS OF CONDUCT FOR ELECTIONS/REGISTRATION OFFICIALS

My Personal Pledge to Freedom, Democracy and My Profession:

- I** uphold the Constitution of the United States and the laws, policies and court decisions of federal, state and local jurisdictions;
- I** commit to excellence and competence by maintaining the highest level of knowledge and expertise in the elections process through continuing education and self evaluation;
- I** am accountable for maintaining public confidence in honest and impartial elections which I conduct in a fair, efficient and accurate manner;
- I** dignify voters by providing equal opportunity to participate in the democratic process;
- I** am responsible for just and equitable treatment of the general public, elected officials and members of my profession;
- I** manifest a positive role in community relations by being accessible and receptive to both individuals and groups;
- I** have the courage and stamina to protect the public's interest from manipulation for personal or partisan gain while respecting the rights of all;
- I** am flexible and innovative within the framework of the law in carrying out my duties on behalf of the public's interest;
- I** conduct all fiscal responsibilities with wisdom and integrity, and I am accountable for all funds and resources committed to my charge;
- I** maintain a productive and efficient operation through a well managed elections environment;
- I** endeavor to maintain the highest level of integrity in performing all duties of my profession.

ELECTION CENTER

An international service association of election and voter registration officials

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Legislative Website Search 2018

***This manual has been
modified from its
original version. It has
been formatted and
edited for Elections.***



SOS

Office of the Secretary of State

Van Wyman

Table of Contents

Elections Division

520 Union Ave SE, Olympia, WA 98504-0229

(360) 902-4180

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Links

Legislature Home Page: <http://leg.wa.gov>

Laws and Agency Rules Page: <http://leg.wa.gov/LawsAndAgencyRules/Pages/default.aspx>

Search Page: <http://search.leg.wa.gov/search.aspx#document>

Administrative Resources: <http://www.sos.wa.gov/elections/administrators.aspx>

How to Search

To perform a legislative document search,

1. Go to <http://search.leg.wa.gov/search.aspx#document>.
2. Select **Law Documents** drop down to search all legislative documents.

Legislative Search Help

Search Terms Zones Preferences

Clear Terms

Enter search criteria in the fields below:

Search Term(s):

Documents Named Like:

Search Type:

Document Selection Clear Document Selection

Document types you wish to search:

- ... and Other Biennium Documents
- Law Documents
- Yearly Documents



Document Types

Law Documents

- RCW
- RCW Disposition
- RCW Supplement
- Legislative Ethics
- WAC

Zones Tab


Legislative Search


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Search Type:  Websites Legislative Documents



Legislative Search

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Search Terms	Zones	Preferences
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[Clear Zone fields](#)

Enter Zone search criteria:

<p>Search Terms</p> <input type="text"/> <input type="text"/> <input type="text"/>	<p>Zone/Operator</p> <div style="border: 1px solid #ccc; padding: 2px; display: inline-block;">BeginningSection ▼</div> <div style="border: 1px solid #ccc; padding: 2px; display: inline-block;">And ▼</div> <div style="border: 1px solid #ccc; padding: 2px; display: inline-block;">BeginningSection ▼</div> <div style="border: 1px solid #ccc; padding: 2px; display: inline-block;">And ▼</div> <div style="border: 1px solid #ccc; padding: 2px; display: inline-block;">BeginningSection ▼</div>	<input type="button" value="Search"/>
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Zone Criteria and Zone / Operator

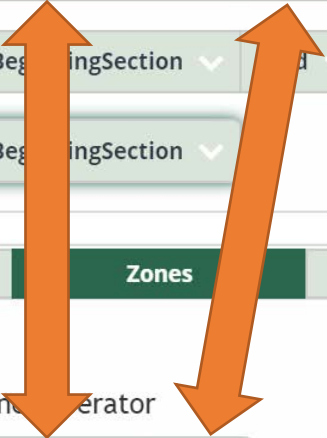
- 1. By entering 29A.*, 434-2* and 434-3* you will only be searching election rule and law.
- 2. Change Zone/Operator to **Citation** and **Or**.

Legislative Search





[Help](#)

Search Terms	Zones	Preferences
Clear Zone fields		
Enter Zone search criteria: Search Terms	Zone/Operator	
<input type="text" value="29A.*"/>	BeginningSection And	
<input type="text" value="434-2*"/>	BeginningSection And	
<input type="text" value="434-3*"/>	BeginningSection	<input type="button" value="Search"/>

Search Terms	Zones	Preferences
Clear Zone fields		
Enter Zone search criteria: Search Terms	Zone/Operator	
<input type="text" value="29A.*"/>	Citations Or	
<input type="text" value="434-2*"/>	Citations Or	
<input type="text" value="434-3*"/>	Citations	<input type="button" value="Search"/>



Search

Search Terms	Zones	Preferences
Enter search criteria in the fields below:		Clear Terms
Search Term(s): 	<input type="text" value="Ballot"/>	
Documents Named Like: 	<input type="text"/>	
Search Type: 	<input type="button" value="Websites"/> <input checked="" type="button" value="Legislative Documents"/>	
		<input type="button" value="Search"/>

Search Results

+ Result Options

1
2
3
4
5
6
1 - 50 of 275

Search Results Total: 275 Query: "Ballot" "29A.*" in Zone: Citations Or "434-2*" in Zone: Citations Or "434-3*" in Zone: Citations

- [WAC 434-230-015](#)
Ballots and instructions.
- [WAC 434-250-120](#)
Verification of the signature and return date.
- [WAC 434-262-032](#)
Provisional ballots – Disposition.
- [RCW 29A.40.160](#)
Voting centers.





Narrowing Your Search.

1. To narrow your search add another descriptive word.
2. Use an asterisk (*) when you're not sure if the word ends in ing, s, y, ie, etc.
3. Add a hyphen.

Legislative Search

[Help](#)

Search Terms	Zones	Preferences
Clear Terms		
Enter search criteria in the fields below:		
Search Term(s): 	<input type="text" value="Ballot deposit"/> 	

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Search Results	
+ Result Options	
1 - 8 of 8	<input type="text" value="1"/> <input type="button" value="Go"/>
<p>Search Results Total: 8 Query: "Ballot deposit" "29a.*" in Zone: Citations Or "434-2*" in Zone: Citations Or "434-3*" in Zone: Citations</p> <ul style="list-style-type: none"> <input type="checkbox"/> WAC 434-250-100 Ballot deposit sites. <input type="checkbox"/> RCW 29A.40.160 Voting centers. <input type="checkbox"/> WAC 434-250-105 Voting centers. <input type="checkbox"/> Chapter 434-335 WAC VOTING SYSTEMS <input type="checkbox"/> RCW 29A.64.030 Deposit of fees – Notice – Public proceeding. <input type="checkbox"/> WAC 434-261-140 Precertification procedures. <input type="checkbox"/> WAC 434-250-320 Locations to deposit ballots. <input type="checkbox"/> Chapter 434-250 WAC ELECTIONS BY MAIL 	

Viewing results

1. Select citation to view.

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Search Results

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[↶ Back to List](#)WAC 434-250-100

WAC 434-250-100 Ballot deposit sites.

If a location only receives ballots and does not issue ballots, it is considered a **ballot deposit** site. **Ballot deposit** sites may be staffed or unstaffed.

(1) A staffed **ballot deposit** site must be staffed by at least two people. **Deposit** site staff may be employees of the county auditor's office or persons appointed by the auditor. **Deposit** site persons, appointed by the county auditor, shall be representatives of different major political parties whenever possible. **Deposit** site staff or appointees shall subscribe to an oath regarding the discharge of their duties. Staffed **deposit** sites open on election day must be open until 8:00 p.m. Staffed **deposit** sites may be open according to dates and times established by the county auditor. Staffed **deposit** sites must have a **ballot** box secured in the manner described in WAC **434-261-045**.

(2) Unstaffed **ballot deposit** sites consist of secured **ballot** boxes that allow return envelopes, once deposited, to only be removed by authorized staff or appointees. **Ballot** boxes located outdoors must be constructed of durable material able to withstand inclement weather, and be sufficiently secured to the ground or another structure to prevent their removal. Unstaffed **ballot deposit** sites must accept ballots beginning eighteen days prior to election day until 8:00 p.m. on election day. The county auditor must empty each **ballot** box with sufficient frequency to prevent damage and unauthorized access to the ballots.

(3) Unstaffed **ballot** boxes must be locked and sealed in the manner described in WAC **434-261-045**. At exactly 8:00 p.m. on election day, all unstaffed **ballot** boxes must be emptied or secured to prevent the **deposit** of additional ballots. The box must be closed and secured by one or two people. One person may secure an unstaffed **ballot** box only if:

- (a) The person does not have access to the deposited ballots; and
- (b) Before sealing the **deposit** slot, the person records the seal number on a log and places the log inside the **ballot** box. The slot is then closed and secured with the numbered seal; and
- (c) A team of two removes the ballots from the box and verifies the seal and log.

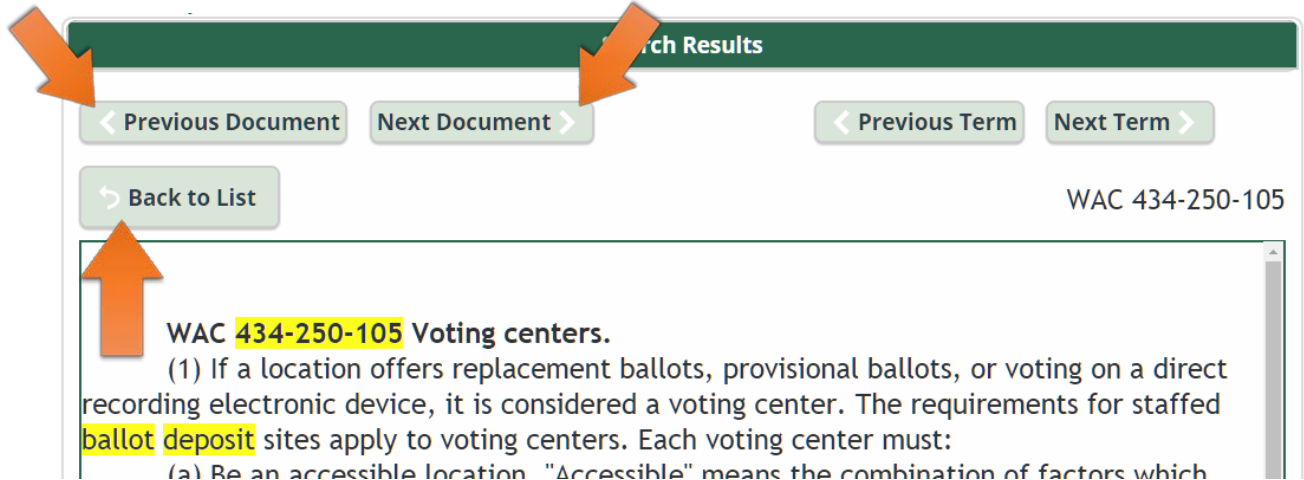
The county auditor shall remove the deposited ballots and transport them to the counting center by either:

- (i) Two employees of or two persons appointed by the county auditor; or
- (ii) Secured transport carrier containing ballots removed and sealed by two employees of or two persons appointed by the county auditor. Sealed transport carriers may be delivered to the counting center by one person. Ballots shall be secured in this manner when transported by vehicle.

Scrolling Through Results

a. Use [Next Document >](#) or [< Previous Document](#) to scroll through results or;

b. Select [Back to List](#) to return to the search results. Do not use the back button on your browser bar.



+ Result Options

1 - 8 of 8 1 Go

Search Results Total: 8 Query: "Ballot deposit" "29a.*" in Zone: Citations Or "434-2*" in Zone: Citations Or "434-3*" in Zone: Citations

- [WAC 434-250-100](#)
Ballot deposit sites.
- [RCW 29A.40.160](#)
Voting centers.
- [WAC 434-250-105](#)
Voting centers.
- [Chapter 434-335 WAC](#)
VOTING SYSTEMS
- [RCW 29A.64.030](#)
Deposit of fees – Notice – Public proceeding.
- [WAC 434-261-140](#)
Precertification procedures.
- [WAC 434-250-320](#)
Locations to deposit ballots.
- [Chapter 434-250 WAC](#)

Wild Cards and Variables

You may use single words, root words (e.g., vot* to find vote, voter, voting, and voters), and AND, OR, or NOT searches.

Search Tips Using Wild Cards and Variables			
Example	Description	Boolean Operator	Use this Symbol
<i>ballot box</i>	BOTH "ballot" and "box" appear in results	And	(spacebar)
<i>ballot or box</i>	EITHER "ballot" or "box" appears in results	Or	Or
<i>ballot -box</i>	Results include any document that contains "ballot" and doesn't contain "box"	Not	- (minus)
<i>"ballot deposit"</i>	Results include any document in which "ballot deposit" appears as a phrase	quotations	" "
<i>ballot (deposit or drop)</i>	Results include any document in which ballot and deposit or drop appears as a phrase	or and parenthesis	(or)
<i>"ballot drop" or " ballot deposit"</i>	Results include any document in which ballot drop or ballot deposit appears as a phrase	or and quotations	or " "
<i>forty * five</i>	Finds a single word or hyphenated word	asterisk	forty-five forty five
<i>write * in or "write in"</i>	Finds single, hyphenated, or multiple-word versions of a term	asterisk and quotes	write-in write in

Election Law Chapters

Title 29A RCW

ELECTIONS

29A.04	General provisions.
29A.08	Voters and registration.
29A.12	Voting systems.
29A.16	Precincts.
29A.24	Filing for office.
29A.28	Vacancies.
29A.32	Voters' pamphlets.
29A.36	Ballots and other voting forms.
29A.40	Elections by mail.
29A.52	Primaries and elections.
29A.56	Special circumstances elections.
29A.60	Canvassing.
29A.64	Recounts.
29A.68	Contesting an election.
29A.72	State initiative and referendum.
29A.76	Redistricting.
29A.76B	Congressional districts and apportionment.
29A.80	Political parties.
29A.84	Crimes and penalties.
29A.88	Nuclear waste site -- Election for disapproval.

Title 434 WAC

SECRETARY OF STATE

434-208	Elections.
434-209	Citizen's commission on salaries for elected officials.
434-215	Declarations of candidacy and filing procedures.
434-219	Presidential primary.
434-230	Ballots.
434-235	Service and overseas voters.
434-250	Elections by mail.
434-260	Election review process and certification of election administrators.
434-261	Counting center procedures.
434-262	Canvassing and certification.
434-263	Administrative complaint procedure.
434-264	Recounts.
434-291	Special elections for major public energy project bond measures.
434-324	Statewide voter registration data base.
434-335	Voting systems.
434-369	Maps and census correspondence listings.
434-379	Initiatives and referenda.
434-381	State voters' pamphlet.

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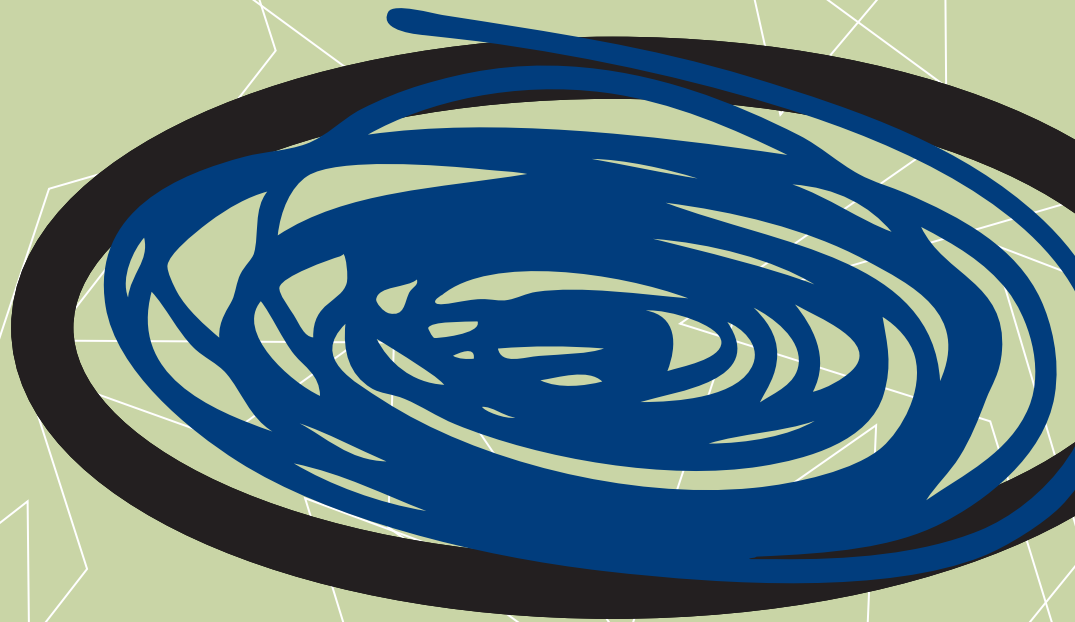
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Voter Intent

Statewide Standards
on What is a Vote



Secretary of State

Tim Wyma



Secretary of State

Kim Wyman

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.

A handwritten signature in black ink that reads "Kim Wyman".

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		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.			
State Representative District 14, Position #1		State Representative District 14, Position #2	
<input type="radio"/> Teddy Roosevelt		<input checked="" type="radio"/> Dolley Payne Madison	
<input checked="" type="radio"/> Abigail S. Adams		<input type="radio"/> Rosa Parks	
<input type="radio"/> William Henry Harrison		<input type="radio"/> Dwight D. Eisenhower	
<input type="radio"/> Write-in		<input type="radio"/> Write-in	
_____		_____	
Englewood Fire District Commissioner		Water District 12 Commissioner	
<input checked="" type="radio"/> Wing Luke		<input type="radio"/> James Monroe	
<input type="radio"/> Thurgood Marshall		<input checked="" type="radio"/> Elisha P. Ferry	
<input type="radio"/> Sacagawea		<input type="radio"/> Clara Barton	
<input type="radio"/> Write-in		<input type="radio"/> 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 Precinct Ballot Code 4 Leg District 14		Official Ballot – Sample County, WA General Election November 6, 2022	
Instructions to voters: Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
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	
<input checked="" type="checkbox"/> Teddy Roosevelt		<input type="checkbox"/> Dolley Payne Madison	
<input type="checkbox"/> Abigail S. Adams		<input checked="" type="checkbox"/> Rosa Parks	
<input type="checkbox"/> William Henry Harrison		<input type="checkbox"/> Dwight D. Eisenhower	
<input type="checkbox"/> Write-in		<input type="checkbox"/> Write-in	
Englewood Fire District Commissioner		Water District 12 Commissioner	
<input type="checkbox"/> Wing Luke		<input type="checkbox"/> James Monroe	
<input checked="" type="checkbox"/> Thurgood Marshall		<input type="checkbox"/> Elisha P. Ferry	
<input type="checkbox"/> Sacagawea		<input checked="" type="checkbox"/> Clara Barton	
<input type="checkbox"/> Write-in		<input type="checkbox"/> 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	
<p>Instructions to voters: Fill in the arrow next to your choice. Vote like this: </p> <p>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.</p>			
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 – 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.			
State Representative District 14, Position #1		State Representative District 14, Position #2	
<input checked="" type="radio"/> Teddy Roosevelt		<input type="radio"/> Dolley Payne Madison	
<input type="radio"/> Abigail S. Adams		<input type="radio"/> Rosa Parks	
<input type="radio"/> William Henry Harrison		<input type="radio"/> Dwight D. Eisenhower	
<input type="radio"/> Write-in		<input type="radio"/> Write-in	
Englewood Fire District Commissioner		Water District 12 Commissioner	
<input type="radio"/> Wing Luke		<input type="radio"/> James Monroe	
<input type="radio"/> Thurgood Marshall		<input type="radio"/> Elisha P. Ferry	
<input type="radio"/> Sacagawea		<input type="radio"/> Clara Barton	
<input type="radio"/> Write-in		<input type="radio"/> Write-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 your choice. Vote like this: <input checked="" type="checkbox"/>			
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	
<input checked="" type="checkbox"/> Teddy Roosevelt		<input checked="" type="checkbox"/> Dolley Payne Madison	
<input type="checkbox"/> Abigail S. Adams		<input type="checkbox"/> Rosa Parks	
<input type="checkbox"/> William Henry Harrison		<input type="checkbox"/> Dwight D. Eisenhower	
<input type="checkbox"/> Write-in		<input type="checkbox"/> Write-in	
Englewood Fire District Commissioner		Water District 12 Commissioner	
<input type="checkbox"/> Wing Luke		<input type="checkbox"/> James Monroe	
<input checked="" type="checkbox"/> Thurgood Marshall		<input type="checkbox"/> Elisha P. Ferry	
<input type="checkbox"/> Sacagawea		<input type="checkbox"/> Clara Barton	
<input type="checkbox"/> Write-in		<input type="checkbox"/> 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.

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 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		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.			
State Representative District 14, Position #1		State Representative District 14, Position #2	
<input type="radio"/> Teddy Roosevelt		<input type="radio"/> Dolley Payne Madison	
<input type="radio"/> Abigail S. Adams		<input type="radio"/> Rosa Parks	
<input checked="" type="radio"/> William Henry Harrison		<input checked="" type="radio"/> Dwight D. Eisenhower	
<input type="radio"/> Write-in		<input type="radio"/> Write-in	
_____		_____	
Englewood Fire District Commissioner		Water District 12 Commissioner	
<input type="radio"/> Wing Luke		<input type="radio"/> James Monroe	
<input type="radio"/> Thurgood Marshall		<input type="radio"/> Elisha P. Ferry	
<input checked="" type="radio"/> Sacagawea		<input checked="" type="radio"/> Clara Barton	
<input type="radio"/> Write-in		<input type="radio"/> 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 – Sample County, WA General Election November 6, 2022	
Instructions to voters: Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
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	
<input checked="" type="checkbox"/> Teddy Roosevelt		<input checked="" type="checkbox"/> Dolley Payne Madison	
<input type="checkbox"/> Abigail S. Adams		<input type="checkbox"/> Rosa Parks	
<input type="checkbox"/> William Henry Harrison		<input type="checkbox"/> Dwight D. Eisenhower	
<input type="checkbox"/> Write-in		<input type="checkbox"/> Write-in	
_____		_____	
Englewood Fire District Commissioner		Water District 12 Commissioner	
<input checked="" type="checkbox"/> Wing Luke		<input checked="" type="checkbox"/> James Monroe	
<input type="checkbox"/> Thurgood Marshall		<input type="checkbox"/> Elisha P. Ferry	
<input type="checkbox"/> Sacagawea		<input type="checkbox"/> Clara Barton	
<input type="checkbox"/> Write-in		<input type="checkbox"/> 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.

Sample Precinct Ballot Code 4 Leg District 14		Official Ballot – Sample County, WA General Election November 6, 2222	
<p>Instructions to voters: Fill in the arrow next to your choice. Vote like this: </p> <p>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.</p>			
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 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

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

4b

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

4c

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

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		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.			
State Representative District 14, Position #1		State Representative District 14, Position #2	
<input checked="" type="radio"/> Teddy Roosevelt	<input type="radio"/> Dolley Payne Madison	<input type="radio"/> Rosa Parks	<input type="radio"/> Dwight D. Eisenhower
<input type="radio"/> Abigail S. Adams	<input type="radio"/> Write-in	<input type="radio"/> Write-in	
<input type="radio"/> William Henry Harrison			
<input type="radio"/> Write-in			
Englewood Fire District Commissioner		Water District 12 Commissioner	
<input type="radio"/> Wing Luke	<input type="radio"/> James Monroe	<input type="radio"/> Elisha P. Ferry	<input type="radio"/> Clara Barton
<input type="radio"/> Thurgood Marshall	<input type="radio"/> Write-in	<input type="radio"/> Write-in	
<input checked="" type="radio"/> Sacagawea			
<input type="radio"/> Write-in			

Rule A, Exception 1, Example 1b

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
















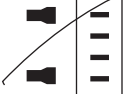


In this example, the mark near Elisha P. Ferry's name is a stray mark and will not count as a valid vote, even though it is in the target area of a candidate.

Sample Precinct Ballot Code 4 Leg District 14		Official Ballot – Sample County, WA General Election November 6, 2022	
Instructions to voters: Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
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	
<input type="checkbox"/> Teddy Roosevelt	<input checked="" type="checkbox"/> Abigail S. Adams	<input checked="" type="checkbox"/> Dolley Payne Madison	<input type="checkbox"/> Rosa Parks
<input type="checkbox"/> William Henry Harrison	<input type="checkbox"/> Write-in	<input type="checkbox"/> Dwight D. Eisenhower	<input type="checkbox"/> Write-in
Englewood Fire District Commissioner		Water District 12 Commissioner	
<input type="checkbox"/> Wing Luke	<input type="checkbox"/> Thurgood Marshall	<input type="checkbox"/> James Monroe	<input checked="" type="checkbox"/> Elisha P. Ferry
<input type="checkbox"/> Sacagawea	<input type="checkbox"/> Write-in	<input type="checkbox"/> Clara Barton	<input type="checkbox"/> 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.

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, 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.

2a

**State Representative
District 14, Position #1**

~~Teddy Roosevelt~~

Abigail S. Adams

William Henry Harrison

Write-in

2b

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

~~William Henry Harrison~~

Write-in

2c

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams ←

William Henry Harrison ←

Write-in ←

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.

1a

**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  

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.

2a

**State Representative
District 14, Position #1**

	Teddy Roosevelt
	Abigail S. Adams
	William Henry Harrison
	Write-in





2b

**State Representative
District 14, Position #1**

	Teddy Roosevelt
	Abigail S. Adams
	William Henry Harrison
	Write-in

2c

**State Representative
District 14, Position #1**

Teddy Roosevelt	
Abigail S. Adams	
William Henry Harrison	
Write-in	

Target Area

Rule A, Exception 2

Hesitation Marks

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.

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


 Write-in


3c

**State Representative
District 14, Position #1**

Teddy Roosevelt 

Abigail S. Adams 

William Henry Harrison 

Write-in 

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	
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	
<input type="radio"/> Teddy Roosevelt	<i>This election is a sham!</i>	<input type="radio"/> Dolley Payne Madison	
<input type="radio"/> Abigail S. Adams		<input type="radio"/> Rosa Parks	
<input type="radio"/> William Henry Harrison		<input type="radio"/> Dwight D. Eisenhower	
<input type="radio"/> Write-in		<input type="radio"/> Write-in	
Englewood Fire District Commissioner		Water District 12 Commissioner	
<input type="radio"/> Wing Luke	<i>I vote for me!</i>	<input type="radio"/> James Monroe	
<input type="radio"/> Thurgood Marshall		<input type="radio"/> Elisha P. Ferry	
<input type="radio"/> Sacagawea		<input type="radio"/> Clara Barton	
<input type="radio"/> Write-in		<input type="radio"/> Write-in	

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.

<p>Sample Precinct Ballot Code 4 Leg District 14</p> <p>Official Ballot – Sample County, WA General Election November 6, 2022</p> <p>Instructions to voters: Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/></p> <p>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.</p>	
<p>State Representative District 14, Position #1</p> <p><input checked="" type="checkbox"/> Teddy Roosevelt <input type="checkbox"/> Abigail S. Adams <input type="checkbox"/> William Henry Harrison <input type="checkbox"/> Write-in</p>	<p>State Representative District 14, Position #2</p> <p><input checked="" type="checkbox"/> Driley Payne Madison <input checked="" type="checkbox"/> Rosa Parks <input type="checkbox"/> Dwight D. Eisenhower <input type="checkbox"/> Write-in</p>
<p>Englewood Fire District Commissioner</p> <p><input type="checkbox"/> Wing Luke <input type="checkbox"/> Thurgood Marshall <input type="checkbox"/> Sacagawea <input type="checkbox"/> Write-in</p>	<p>Water District 12 Commissioner</p> <p><input type="checkbox"/> James Monroe <input type="checkbox"/> Elisha P. Ferry <input type="checkbox"/> Clara Barton <input type="checkbox"/> Write-in</p>

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		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. Ferris	← →
Sacagawea	← →	Clara Barton	← →
Write-in	← →	Write-in	← →

Dear Election People!
 Thank you for the ballot
 but I prefer not to vote
 this time.
 Sincerely!
 B. Adams

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 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.			
State Representative District 14, Position #1		State Representative District 14, Position #2	
<input checked="" type="checkbox"/> Teddy Roosevelt	<input type="checkbox"/> Dolley Payne Madison	<input type="checkbox"/> Rosa Parks	<input checked="" type="checkbox"/> Dwight D. Eisenhower
<input type="checkbox"/> Abigail S. Adams	<input type="checkbox"/> Write-in	<input type="checkbox"/> Write-in	
<input type="checkbox"/> William Henry Harrison			
<input type="checkbox"/> Write-in			
Englewood Fire District Commissioner		Water District 12 Commissioner	
<input checked="" type="checkbox"/> Wing Luke	<input type="checkbox"/> James Monroe	<input checked="" type="checkbox"/> Elisha P. Ferry	<input type="checkbox"/> Clara Barton
<input type="checkbox"/> Thurgood Marshall	<input type="checkbox"/> Write-in	<input type="checkbox"/> Write-in	
<input type="checkbox"/> Sacagawea			
<input type="checkbox"/> Write-in			

**Pattern of
Similar Marks**
Rule B

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, 2022	
Instructions to voters: Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
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	
<input type="checkbox"/> Teddy Roosevelt (States No Party Preference)		<input type="checkbox"/> Dolley Payne Madison (Prefers <u>Republican Party</u>)	
<input type="checkbox"/> <u>Abigail S. Adams</u> (Prefers Republican Party)		<input type="checkbox"/> Rosa Parks (Prefers Democratic Party)	
<input type="checkbox"/> William Henry Harrison (Prefers Democratic Party)		<input type="checkbox"/> Dwight D. Eisenhower (States No Party Preference)	
<input type="checkbox"/> Write-in		<input type="checkbox"/> Write-in	
County Commissioner District 2		County Treasurer District 1	
<input type="checkbox"/> <u>Wing Luke</u> (Prefers Democratic Party)		<input type="checkbox"/> James Monroe (Prefers <u>Democratic Party</u>)	
<input type="checkbox"/> Thurgood Marshall (Prefers Republican Party)		<input type="checkbox"/> Elisha P. Ferry (Prefers Republican Party)	
<input type="checkbox"/> Sacagawea (States No Party Preference)		<input type="checkbox"/> Clara Barton (States No Party Preference)	
<input type="checkbox"/> Write-in		<input type="checkbox"/> Write-in	

Rule B, Example 2a

All choices marked are valid votes.

In this example, the voter formed a pattern of similar marks throughout the ballot. Some marks are in the target area and some are not. Because the marks are the same **type** for each race, all votes on this ballot count as 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 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	← →

**Pattern of
Similar Marks**
Rule B

Rule B, Example 2b

All choices marked are valid votes.

In this example, the voter formed a pattern of similar marks throughout the ballot. Some marks are in the target area and some are not. Because the marks are the same **type** for each race, all votes on this ballot count as 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 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	
<input type="radio"/> Teddy Roosevelt		<input type="radio"/> Dolley Payne Madison	
<input checked="" type="radio"/> Abigail S. Adams		<input type="radio"/> Rosa Parks	
<input type="radio"/> William Henry Harrison		<input checked="" type="radio"/> Dwight D. Eisenhower	
<input type="radio"/> Write-in		<input type="radio"/> Write-in	
_____		_____	
Englewood Fire District Commissioner		Water District 12 Commissioner	
<input type="radio"/> Wing Luke		<input type="radio"/> James Monroe	
<input type="radio"/> Thurgood Marshall		<input type="radio"/> Elisha P. Ferry	
<input checked="" type="radio"/> Sacagawea		<input type="radio"/> Clara Barton <input checked="" type="radio"/>	
<input type="radio"/> Write-in		<input type="radio"/> Write-in	
_____		_____	

Rule B, Example 2c

All choices marked are valid votes.

In this example, the voter formed a pattern of similar marks throughout the ballot. Some marks are in the target area and some are not. Because the marks are the same **type** for each race, all votes on this ballot count as valid votes.

Sample Precinct Ballot Code 4 Leg District 14		Official Ballot – Sample County, WA General Election November 6, 2022	
Instructions to voters: Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
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	
<input checked="" type="checkbox"/> Teddy Roosevelt	<input type="checkbox"/> Dolley Payne Madison	<input type="checkbox"/> Rosa Parks	<input checked="" type="checkbox"/> Dwight D. Eisenhower
<input type="checkbox"/> Abigail S. Adams	<input type="checkbox"/> Write-in	<input type="checkbox"/> Write-in	
<input type="checkbox"/> William Henry Harrison			
<input type="checkbox"/> Write-in			
Englewood Fire District Commissioner		Water District 12 Commissioner	
<input type="checkbox"/> Wing Luke	<input type="checkbox"/> James Monroe	<input type="checkbox"/> Elisha P. Ferry	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Thurgood Marshall	<input type="checkbox"/> Clara Barton	<input type="checkbox"/> Write-in	
<input type="checkbox"/> Sacagawea			
<input type="checkbox"/> Write-in			

**Pattern of
Similar Marks**
Rule B

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.

<p>Sample Precinct Ballot Code 4 Leg District 14</p>		<p>Official Ballot – Sample County, WA General Election November 6, 2022</p>	
<p>Instructions to voters: Fill in the arrow next to your choice. Vote like this: </p> <p>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.</p>			
<p>State Representative District 14, Position #1</p>		<p>State Representative District 14, Position #2</p>	
<p>Teddy Roosevelt </p>		<p>Dolley Payne Madison </p>	
<p>Abigail S. Adams </p>		<p>Rosa Parks </p>	
<p>William Henry Harrison </p>		<p>Dwight D. Eisenhower </p>	
<p>Write-in </p> <p>_____</p>		<p>Write-in </p> <p>_____</p>	
<p>Englewood Fire District Commissioner</p>		<p>Water District 12 Commissioner</p>	
<p>Wing Luke </p>		<p>James Monroe </p>	
<p>Thurgood Marshall </p>		<p>Frida Kahlo </p>	
<p>Sacagawea </p>		<p>Clara Barton </p>	
<p>Write-in </p> <p>_____</p>		<p>Write-in </p> <p>_____</p>	

Rule B, Example 2e

All choices marked are valid votes.


In this example, the voter formed a pattern of similar marks throughout the ballot. Some marks are in the target area and some are not. Because the marks are the same **type** for each race, all votes on this ballot count as 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 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 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 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.			
State Representative District 14, Position #1		State Representative District 14, Position #2	
<input checked="" type="radio"/> Teddy Roosevelt		<input type="radio"/> Dolley Payne Madison	
<input type="radio"/> Abigail S. Adams		<input type="radio"/> Rosa Parks	
<input type="radio"/> William Henry Harrison		✓ <input type="radio"/> Dwight D. Eisenhower	
<input type="radio"/> Write-in		<input type="radio"/> Write-in	
Englewood Fire District Commissioner		Water District 12 Commissioner	
<input type="radio"/> Wing Luke		<input checked="" type="radio"/> James Monroe	
<input checked="" type="radio"/> Thurgood Marshall		<input type="radio"/> Elisha P. Ferry	
<input type="radio"/> Sacagawea		<input type="radio"/> Clara Barton	
<input type="radio"/> Write-in		<input type="radio"/> 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		Official Ballot – Sample County, WA General Election November 6, 2222	
Instructions to voters: Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
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	
<input type="checkbox"/> Teddy Roosevelt ✓		<input type="checkbox"/> Dolley Payne Madison	
<input type="checkbox"/> Abigail S. Adams		<input type="checkbox"/> Rosa Parks	
<input type="checkbox"/> William Henry Harrison		<input type="checkbox"/> Dwight D. Eisenhower ✓	
<input type="checkbox"/> Write-in		<input type="checkbox"/> Write-in	
Englewood Fire District Commissioner		Water District 12 Commissioner	
<input type="checkbox"/> Wing Luke		<input type="checkbox"/> James Monroe	
<input checked="" type="checkbox"/> Thurgood Marshall		<input type="checkbox"/> Elisha P. Ferry	
<input type="checkbox"/> Sacagawea		<input type="checkbox"/> Clara Barton ✓	
<input type="checkbox"/> Write-in		<input type="checkbox"/> 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.

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 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.

Official Ballot – Sample County, WA General Election November 6, 2222		Page 1 / 2
<small>oters: Fill in the oval next to your choice. Vote like this: <input checked="" type="radio"/></small> <small>ake: Draw a line through the entire candidate's name like this: George Washington <small>ption of making another choice if you wish.</small> </small>		
Measure No. 1 <input type="radio"/> Yes <input checked="" type="radio"/> No	State Representative District 14, Position #1 <input type="radio"/> Teddy Roosevelt <input checked="" type="radio"/> Abigail S. Adams <input type="radio"/> Write-in	
Measure No. 2 <input checked="" type="radio"/> Yes <input type="radio"/> No	State Representative District 14, Position #2 <input type="radio"/> William Henry Harrison <input checked="" type="radio"/> Wing Luke <input type="radio"/> Write-in	
Measure No. 3 <input checked="" type="radio"/> Yes <input type="radio"/> No	Port Commissioner Position #1 <input type="radio"/> Thurgood Marshall <input checked="" type="radio"/> Sacagawea <input type="radio"/> Write-in	
Measure No. 4 <input type="radio"/> Yes <input checked="" type="radio"/> No	Continue voting next side 	

Official Ballot – Sample County, WA General Election November 6, 2222		Page 2 / 2
Port Commissioner Position #2 <input checked="" type="radio"/> Dolley Payne Madison <input type="radio"/> Rosa Parks <input type="radio"/> Write-in	Cemetery District Commissioner, Position #2 <input checked="" type="radio"/> May Arkwright Hutton <input type="radio"/> Joseph Marion Hernandez <input type="radio"/> Write-in	
Fire District Commissioner, Position #1 <input type="radio"/> Dwight D. Eisenhower <input checked="" type="radio"/> Belle Reeves <input type="radio"/> Write-in	Water District 12 Commissioner <input checked="" type="radio"/> Emma Smith DeVoe <input type="radio"/> Charles Wilkes <input type="radio"/> Write-in	
Fire District Commissioner, Position #2 <input checked="" type="radio"/> Juan de Fuca <input type="radio"/> Chief Seattle <input type="radio"/> Write-in	Proposition No. 1 <input type="radio"/> Approved <input checked="" type="radio"/> Rejected	
Hospital District Commissioner, Position #1 <input type="radio"/> Isaac Stevens <input type="radio"/> Mary Wilson <input type="radio"/> Write-in	End of ballot. Thank you for voting!	




This is a multiple page ballot.

**Pattern of
Similar Marks**
Rule B

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.

Official Ballot – Sample County, WA General Election November 6, 2222		Page 1 / 2
<small>ers: Fill in the arrow next to your choice. Vote like this: ←</small> <small>ake: Draw a line through the entire candidate's name like this: George Washington</small> <small>ption of making another choice if you wish.</small>		
Measure No. 1 <input checked="" type="radio"/> Yes <input type="radio"/> No	Measure No. 5 <input type="radio"/> Yes <input checked="" type="radio"/> No	
Measure No. 2 <input type="radio"/> Yes <input checked="" type="radio"/> No	Measure No. 6 <input checked="" type="radio"/> Yes <input type="radio"/> No	
Measure No. 3 <input type="radio"/> Yes <input checked="" type="radio"/> No	Measure No. 7 <input type="radio"/> Yes <input checked="" type="radio"/> No	
Measure No. 4 <input checked="" type="radio"/> Yes <input type="radio"/> No	Continue voting next side	

Official Ballot – Sample County, WA General Election November 6, 2222		Page 2 / 2
State Representative District 14, Position #1 Teddy Roosevelt Abigail S. Adams Write-in <u>Abigail Adams</u>	Fire District Commissioner, Position #1 Dwight D. Eisenhower Belle Reeves Write-in <u>Belle Reeves</u>	
State Representative District 14, Position #2 William Henry Harrison Wing Luke Write-in <u>William Henry Harrison</u>	Fire District Commissioner, Position #2 Juan de Fuca Chief Seattle Write-in <u>Juan de Fuca</u>	
Port Commissioner Position #1 Thurgood Marshall Sacagawea Write-in <u>Sacagawea</u>	Proposition No. 1 <input checked="" type="radio"/> Yes <input type="radio"/> No	
Port Commissioner Position #2 Dolley Payne Madison Rosa Parks Write-in <u>Dolley Payne Madison</u>	End of ballot. Thank you for voting!	




This is a multiple page ballot.

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.

Official Ballot – Sample County, WA General Election November 6, 2222		Page 1 / 2
<small>Instructions: Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/> Make: Draw a line through the entire candidate's name like this: <u>George Washington</u> Option of making another choice if you wish.</small>		
Measure No. 1 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	State Representative District 14, Position #1 <input type="checkbox"/> Teddy Roosevelt <input checked="" type="checkbox"/> <u>Abigail S. Adams</u> <input type="checkbox"/> Write-in	
Measure No. 2 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	State Representative District 14, Position #2 <input type="checkbox"/> <u>William Henry Harrison</u> <input type="checkbox"/> Wing Luke <input type="checkbox"/> Write-in	
Measure No. 3 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Port Commissioner Position #1 <input type="checkbox"/> <u>Thurgood Marshall</u> <input type="checkbox"/> Sacagawea <input type="checkbox"/> Write-in	
Measure No. 4 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Continue voting next side 	

Official Ballot – Sample County, WA General Election November 6, 2222		Page 2 / 2
Port Commissioner Position #2 <input type="checkbox"/> Dolley Payne Madison <input checked="" type="checkbox"/> <u>Rosa Parks</u> <input type="checkbox"/> Write-in	Cemetery District Commissioner, Position #2 <input type="checkbox"/> <u>May Arkwright Hutton</u> <input type="checkbox"/> Joseph Marion Hernandez <input type="checkbox"/> Write-in	
District Commissioner, Position #1 <input type="checkbox"/> Dwight D. Eisenhower <input checked="" type="checkbox"/> <u>Belle Reeves</u> <input type="checkbox"/> Write-in	Water District 12 Commissioner <input type="checkbox"/> Emma Smith DeVoe <input checked="" type="checkbox"/> <u>Charles Wilkes</u> <input type="checkbox"/> Write-in	
Fire District Commissioner, Position #2 <input type="checkbox"/> <u>Juan de Fuca</u> <input type="checkbox"/> Chief Seattle <input type="checkbox"/> Write-in	Proposition No. 1 <input checked="" type="checkbox"/> <u>Approved</u> <input type="checkbox"/> Rejected	
Hospital District Commissioner, Position #1 <input type="checkbox"/> <u>Isaac Stevens</u> <input type="checkbox"/> Mary Wilson <input type="checkbox"/> Write-in	End of ballot. Thank you for voting!	



This is a multiple page ballot.

**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

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.

1a

Proposition No. 1

Yes

No

1b

Proposition No. 1

Yes

No

1c

Proposition No. 1

Yes *Trang Nguyen* ← →

No ← →

1d

Proposition No. 1

Yes ← →

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.

2a

Proposition No. 1

Approved *approved*

Rejected

2b

Proposition No. 1

Approved

Rejected

2c

Proposition No. 1

Approved

Rejected

2d

Proposition No. 1

Approved

Rejected

**Pattern of
Similar Marks**

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.

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 *yes*

Abigail S. Adams

William Henry Harrison

Write-in

3c

**State Representative
District 14, Position #1**

~~Teddy Roosevelt~~ ← →

Abigail S. Adams ← →

William Henry Harrison ← →

Write-in ← →

3d

**State Representative
District 14, Position #1**

Teddy Roosevelt ✗ ← →

Abigail S. Adams ← →

William Henry Harrison ← →

Write-in ← →

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

**State Representative
District 14, Position #1**

Teddy Roosevelt

~~Abigail S. Adams~~

William Henry Harrison

Write-in

4c

**State Representative
District 14, Position #1**

~~Teddy Roosevelt~~ ←

Abigail S. Adams ←

William Henry Harrison ←

Write-in ←

**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.

Official Ballot – Sample County, WA General Election November 6, 2222		Page 1 / 2
<small>ers: Fill in the arrow next to your choice. Vote like this: ←</small> <small>ake: Draw a line through the entire candidate's name like this: George Washington</small> <small>ption of making another choice if you wish.</small>		
Measure No. 1 Yes ← <input type="checkbox"/> No ← <input type="checkbox"/>	United States President / Vice President May Hutton / Isaac Stevens ← <input checked="" type="checkbox"/> Robert Gray / John R. Rogers ← <input type="checkbox"/> Lara Hall Peters / Peter Puget ← <input type="checkbox"/> Juan de Fuca / Chief Seattle ← <input type="checkbox"/> Write-in ← <input type="checkbox"/>	
Measure No. 2 Yes ← <input type="checkbox"/> No ← <input type="checkbox"/>	Write-in <input type="checkbox"/> _____	
Continue voting next side		
Measure No. 3 Yes ← <input type="checkbox"/> No ← <input type="checkbox"/>		
Measure No. 4 Yes ← <input type="checkbox"/> No ← <input type="checkbox"/>		

Official Ballot – Sample County, WA General Election November 6, 2222		Page 2 / 2
State Representative District 14, Position #1 Teddy Roosevelt ← <input type="checkbox"/> Abigail S. Adams ← <input type="checkbox"/> Write-in ← <input type="checkbox"/> _____	Fire District Commissioner, Position #1 Dwight D. Eisenhower ← <input type="checkbox"/> Belle Reeves ← <input type="checkbox"/> Write-in ← <input type="checkbox"/> _____	
State Representative District 14, Position #2 William Henry Harrison ← <input type="checkbox"/> Wing Luke ← <input type="checkbox"/> Write-in ← <input type="checkbox"/> _____	Proposition No. 1 Yes ← <input type="checkbox"/> No ← <input type="checkbox"/>	
Port Commissioner Position #1 Thurgood Marshall ← <input type="checkbox"/> Sacagawea ← <input type="checkbox"/> Write-in ← <input type="checkbox"/> _____	End of ballot. Thank you for voting!	
Port Commissioner Position #2 Dolley Payne Madison ← <input type="checkbox"/> Rosa Parks ← <input type="checkbox"/> Write-in ← <input type="checkbox"/> _____		



This is a multiple page ballot.

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.

1a

**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 ←

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

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

~~William Henry Harrison~~

Write-in

2b

**State Representative
District 14, Position #1**

Teddy Roosevelt

~~Abigail S. Adams~~

William Henry Harrison

Write-in

2c

**State Representative
District 14, Position #1**

~~Teddy Roosevelt~~ ←

Abigail S. Adams ←

William Henry Harrison ←

Write-in ←

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.

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

Write-in

3c

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in

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.

4a

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in

4b

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in

Johnny Law

4c

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in

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.

1a

**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 ← ▶

Write-in ← ▶

1d

**State Representative
District 14, Position #1**

Teddy Roosevelt
(States No Party Preference)

Abigail S. Adams
(Prefers Republican Party)


William Henry Harrison
(~~Prefers Democratic 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.

<p>Sample Precinct Ballot Code 4 Leg District 14</p>	<p>Official Ballot - Sample County, WA General Election November 6, 2222</p>															
<p>Instructions to voters: Fill in the oval next to your choice. Vote like this: </p> <p>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.</p>																
<p>Proposition No. 1 City of Angles School District Capital Projects Technology Levy</p> <p>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: not</p> <p>Should this proposition be approved?</p> <table border="1"> <thead> <tr> <th>Levy Collection Years</th> <th>Approximate Levy Rate per \$1,000 of Assessed Value</th> <th>Levy Amount</th> </tr> </thead> <tbody> <tr> <td>2008 / 2009</td> <td>\$0.46</td> <td>\$1,635,700</td> </tr> <tr> <td>2009 / 2010</td> <td>\$0.44</td> <td>\$1,643,248</td> </tr> <tr> <td>2010 / 2011</td> <td>\$0.41</td> <td>\$1,643,171</td> </tr> <tr> <td>2011 / 2012</td> <td>\$0.39</td> <td>\$1,642,972</td> </tr> </tbody> </table> <p>Should Proposition No. 1 be approved or rejected?</p> <p><input checked="" type="radio"/> LEVY Yes</p> <p><input type="radio"/> LEVY No</p>		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
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														

Not a Correction

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.

1a

**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~~ no

Abigail S. Adams yes

~~William Henry Harrison~~ no

Write-in

1c

**State Representative
District 14, Position #1**

Teddy Roosevelt ←

Abigail S. Adams ←

✓ William Henry Harrison ←

Write-in ←

This one ←

Rule F

Identifying Marks

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

Identifying Marks

Rule F

Rule F, Example 1a

The ballot must be accepted.

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

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: <input checked="" type="radio"/>		<i>Maria Garcia-Lopez</i>	
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		
<input type="radio"/> Teddy Roosevelt	<input checked="" type="radio"/> Dolley Payne Madison		
<input type="radio"/> Abigail S. Adams	<input type="radio"/> Rosa Parks		
<input checked="" type="radio"/> William Henry Harrison	<input type="radio"/> Dwight D. Eisenhower		
<input type="radio"/> Write-in	<input type="radio"/> Write-in		
Englewood Fire District Commissioner	Water District 12 Commissioner		
<input checked="" type="radio"/> Wing Luke	<input type="radio"/> James Monroe		
<input type="radio"/> Thurgood Marshall	<input type="radio"/> Elisha P. Ferry		
<input type="radio"/> Sacagawea	<input checked="" type="radio"/> Clara Barton		
<input type="radio"/> Write-in	<input type="radio"/> 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.

Sample Precinct Ballot Code 4 Leg District 14		Official Ballot – Sample County, WA General Election November 6, 2022	
Instructions to voters: Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
If you make a mistake: Draw a line through the entire candidate's name like this: George Washington You then have the right to vote for another candidate if you wish.			
State Representative District 14, Position #1		State Representative District 14, Position #2	
<input type="checkbox"/> Teddy Roosevelt	<input checked="" type="checkbox"/> John Smith 2405 Cascade St. NE Lewistown, USA	<input checked="" type="checkbox"/> Dolley Payne Madison	<input type="checkbox"/> Rosa Parks
<input type="checkbox"/> Abigail S. Adams		<input type="checkbox"/> Dwight D. Eisenhower	<input type="checkbox"/> Write-in
<input checked="" type="checkbox"/> William Henry Harrison			
<input type="checkbox"/> Write-in			
Englewood Fire District Commissioner		Water District 12 Commissioner	
<input type="checkbox"/> Wing Luke		<input type="checkbox"/> James Monroe	
<input checked="" type="checkbox"/> Thurgood Marshall		<input type="checkbox"/> Elisha P. Ferry	
<input type="checkbox"/> Sacagawea		<input checked="" type="checkbox"/> Clara Barton	
<input type="checkbox"/> Write-in		<input type="checkbox"/> 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.

Sample Precinct Ballot Code 4 Leg District 14		Official Ballot – Sample County, WA General Election November 6, 2022	
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	←

I changed my mind and don't want to vote for water district commissioner.
JR

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.

1a

**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 ← ■

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, 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
Sam Dee

1b

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in
Sam Dee

1c

**State Representative
District 14, Position #1**

Teddy Roosevelt ← ▣

Abigail S. Adams ← ▣

William Henry Harrison ← ▣

Write-in ← ▣
Sam Dee

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

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

1a

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in
Abigail S. Adams

1b

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in
Abigail S. Adams

1c

**State Representative
District 14, Position #1**

Teddy Roosevelt ←

Abigail S. Adams ←

William Henry Harrison ←

Write-in ←
Abigail S. Adams

1d

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in
Abigail S. Adams

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).

1a

State Representative District 14, Position #1	
<input type="radio"/>	Teddy Roosevelt
<input type="radio"/>	Abigail S. Adams
<input type="radio"/>	William Henry Harrison
<input checked="" type="radio"/>	Write-in <u>Thomas Smith</u>

1b

State Representative District 14, Position #1	
<input type="checkbox"/>	Teddy Roosevelt
<input type="checkbox"/>	Abigail S. Adams
<input type="checkbox"/>	William Henry Harrison
<input checked="" type="checkbox"/>	Write-in <u>Tommy Smith</u>

1c

State Representative District 14, Position #1	
Teddy Roosevelt	<input type="checkbox"/>
Abigail S. Adams	<input type="checkbox"/>
William Henry Harrison	<input type="checkbox"/>
Write-in	<input checked="" type="checkbox"/>
<u>Tom Smythe</u>	

1d

State Representative District 14, Position #1	
<input type="radio"/>	Teddy Roosevelt
<input type="radio"/>	Abigail S. Adams
<input type="radio"/>	William Henry Harrison
<input checked="" type="radio"/>	Write-in <u>Thom Smith</u>

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.

1a

**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 ← ▣

Write-in ← ▣

1d

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

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.

1a

**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 ← █

Write-in ← █

1d

**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, 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
Teddy 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 ← ▣
Bill Roosevelt

1d

**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.

**Write-in:
Overvotes
Rule N**

Rule N, Examples 1a-d

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

1a

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in
Jose Martinez

1b

**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 ←
Lily Scott

1d

**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
Abby Roosevelt

2b

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in
Abby Roosevelt

2c

**State Representative
District 14, Position #1**

Teddy Roosevelt ← █

Abigail S. Adams ← █

William Henry Harrison ← █

Write-in ← █
Abby Roosevelt

2d

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in
Abby Roosevelt

**Write-in:
Overvotes
Rule N**

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 Nobody

3b

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in Mickey Mouse

3c

**State Representative
District 14, Position #1**

Teddy Roosevelt ←

Abigail S. Adams ←

William Henry Harrison ←

Write-in Mom ←

3d

**State Representative
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in none of the above

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.

**Write-in:
Not Eligible
Rule O**

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.

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	←

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.

**Write-in: Vote in
the Wrong Place
Rule P**

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		Official Ballot – Sample County, WA General Election November 6, 2222	
Instructions to voters: Fill in the oval next to your choice. Vote like this: <input checked="" type="radio"/>			
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	
<input checked="" type="radio"/> Teddy Roosevelt		<input type="radio"/> Dolley Payne Madison	
<input checked="" type="radio"/> Abigail S. Adams		<input type="radio"/> Rosa Parks	
<input type="radio"/> William Henry Harrison		<input type="radio"/> Dwight D. Eisenhower	
<input type="radio"/> Write-in		<input type="radio"/> Write-in	
Englewood Fire District Commissioner		Water District 12 Commissioner	
<input type="radio"/> Wing Luke		<input type="radio"/> James Monroe	
<input type="radio"/> Thurgood Marshall		<input type="radio"/> Elisha P. Ferry	
<input type="radio"/> Sacagawea		<input type="radio"/> Clara Barton	
<input type="radio"/> Write-in		<input type="radio"/> Write-in	

State Rep Dist 14 Pos 1
 Teddy Roosevelt

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

**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 ← ▣

Write-in ← ▣

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.

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 ballots. (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;

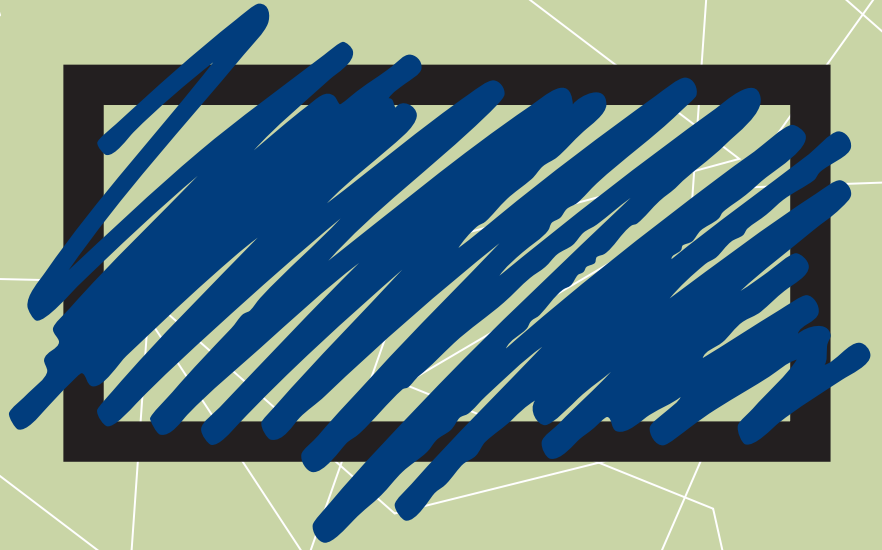
(f) Where the voter validly transferred out of the county.

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.



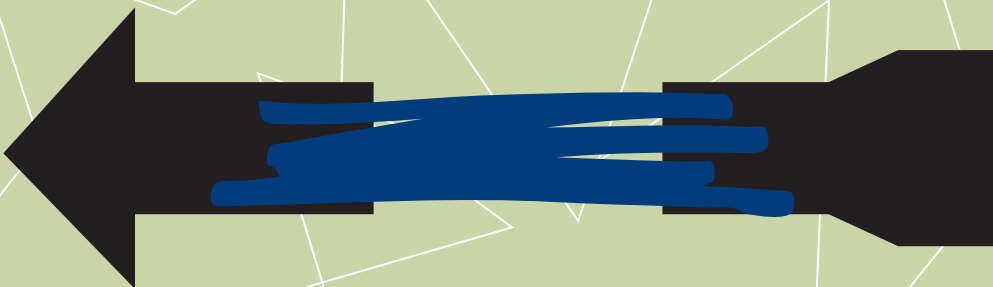
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For questions, please contact:

Elections Division
PO Box 40229
Olympia, WA 98504-0229
t. 360.902.4180
f. 360.664.4619
www.vote.wa.gov

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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Selected Articles of the Washington State Constitution

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ARTICLE I - DECLARATION OF RIGHTS

SECTION 1 POLITICAL POWER. All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.

SECTION 2 SUPREME LAW OF THE LAND. The Constitution of the United States is the supreme law of the land.

SECTION 3 PERSONAL RIGHTS. No person shall be deprived of life, liberty, or property, without due process of law.

SECTION 4 RIGHT OF PETITION AND ASSEMBLAGE. The right of petition and of the people peaceably to assemble for the common good shall never be abridged.

SECTION 5 FREEDOM OF SPEECH. Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right.

SECTION 6 OATHS - MODE OF ADMINISTERING. The mode of administering an oath, or affirmation, shall be such as may be most consistent with and binding upon the conscience of the person to whom such oath, or affirmation, may be administered.

SECTION 7 INVASION OF PRIVATE AFFAIRS OR HOME PROHIBITED. No person shall be disturbed in his private affairs, or his home invaded, without authority of law.

SECTION 8 IRREVOCABLE PRIVILEGE, FRANCHISE OR IMMUNITY PROHIBITED. No law granting irrevocably any privilege, franchise or immunity, shall be passed by the legislature.

SECTION 9 RIGHTS OF ACCUSED PERSONS. No person shall be compelled in any criminal case to give evidence against himself, or be twice put in jeopardy for the same offense.

SECTION 10 ADMINISTRATION OF JUSTICE. Justice in all cases shall be administered openly, and without unnecessary delay.

SECTION 11 RELIGIOUS FREEDOM. Absolute freedom of conscience in all matters of religious sentiment, belief and worship, shall be guaranteed to every individual, and no one shall be molested or disturbed in person or property on account of religion; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated for or applied to any religious worship, exercise or instruction, or the support of any religious establishment: PROVIDED, HOWEVER, That this article shall not be so construed as to forbid the employment by the state of a chaplain for such of the state custodial, correctional, and mental institutions, or by a county's or public hospital district's hospital, health care facility, or hospice, as in the discretion of the legislature may seem justified. No religious qualification shall be required for any public office or employment, nor shall any person be incompetent as a witness or juror, in consequence of his opinion on matters of religion, nor be questioned in any court of justice touching his religious belief to affect the weight of his testimony. [AMENDMENT 88, 1993 House Joint Resolution No. 4200, p 3062. Approved November 2, 1993.]

SECTION 12 SPECIAL PRIVILEGES AND IMMUNITIES PROHIBITED. No law shall be passed granting to any citizen, class of citizens, or corporation other than municipal, privileges or immunities which upon the same terms shall not equally belong to all citizens, or corporations.

SECTION 13 HABEAS CORPUS. The privilege of the writ of habeas corpus shall not be suspended, unless in case of rebellion or invasion the public safety requires it.

SECTION 14 EXCESSIVE BAIL, FINES AND PUNISHMENTS. Excessive bail shall not be required, excessive fines imposed, nor cruel punishment inflicted.

SECTION 15 CONVICTIONS, EFFECT OF. No conviction shall work corruption of blood, nor forfeiture of estate.

SECTION 16 EMINENT DOMAIN. Private property shall not be taken for private use, except for private ways of necessity, and for drains, flumes, or ditches on or across the lands of others for

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agricultural, domestic, or sanitary purposes. No private property shall be taken or damaged for public or private use without just compensation having been first made, or paid into court for the owner, and no right-of-way shall be appropriated to the use of any corporation other than municipal until full compensation therefor be first made in money, or ascertained and paid into court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived, as in other civil cases in courts of record, in the manner prescribed by law. Whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be really public shall be a judicial question, and determined as such, without regard to any legislative assertion that the use is public: *Provided*, That the taking of private property by the state for land reclamation and settlement purposes is hereby declared to be for public use. [AMENDMENT 9, 1919 p 385 Section 1. Approved November, 1920.]

SECTION 17 IMPRISONMENT FOR DEBT. There shall be no imprisonment for debt, except in cases of absconding debtors.

SECTION 18 MILITARY POWER, LIMITATION OF. The military shall be in strict subordination to the civil power.

SECTION 19 FREEDOM OF ELECTIONS. All Elections shall be free and equal, and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

SECTION 20 BAIL, WHEN AUTHORIZED. All persons charged with crime shall be bailable by sufficient sureties, except for capital offenses when the proof is evident, or the presumption great.

SECTION 21 TRIAL BY JURY. The right of trial by jury shall remain inviolate, but the legislature may provide for a jury of any number less than twelve in courts not of record, and for a verdict by nine or more jurors in civil cases in any court of record, and for waiving of the jury in civil cases where the consent of the parties interested is given thereto.

SECTION 22 RIGHTS OF THE ACCUSED. In criminal prosecutions the accused shall have the right to appear and defend in person, or by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to meet the witnesses against him face to face, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy public trial by an impartial jury of the county in which the offense is charged to have been committed and the right to appeal in all cases: *Provided*, The route traversed by any railway coach, train or public conveyance, and the water traversed by any boat shall be criminal districts; and the jurisdiction of all public offenses committed on any such railway car, coach, train, boat or other public conveyance, or at any station or depot upon such route, shall be in any county through which the said car, coach, train, boat or other public conveyance may pass during the trip or voyage, or in which the trip or voyage may begin or terminate. In no instance shall any accused person before final judgment be compelled to advance money or fees to secure the rights herein guaranteed. [AMENDMENT 10, 1921 p 79 Section 1. Approved November, 1922.]

SECTION 23 BILL OF ATTAINDER, EX POST FACTO LAW, ETC. No bill of attainder, ex post facto law, or law impairing the obligations of contracts shall ever be passed.

SECTION 24 RIGHT TO BEAR ARMS. The right of the individual citizen to bear arms in defense of himself, or the state, shall not be impaired, but nothing in this section shall be construed as authorizing individuals or corporations to organize, maintain or employ an armed body of men.

SECTION 25 PROSECUTION BY INFORMATION. Offenses heretofore required to be prosecuted by indictment may be prosecuted by information, or by indictment, as shall be prescribed by law.

SECTION 26 GRAND JURY. No grand jury shall be drawn or summoned in any county, except the superior judge thereof shall so order.

SECTION 27 TREASON, DEFINED, ETC. Treason against the state shall consist only in levying war against the state, or adhering to its enemies, or in giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or confession in open court.

SECTION 28 HEREDITARY PRIVILEGES ABOLISHED. No hereditary emoluments, privileges, or powers, shall be granted or conferred in this state.

SECTION 29 CONSTITUTION MANDATORY. The provisions of this Constitution are mandatory, unless by express words they are declared to be otherwise.

SECTION 30 RIGHTS RESERVED. The enumeration in this Constitution of certain rights shall not be construed to deny others retained by the people.

SECTION 31 STANDING ARMY. No standing army shall be kept up by this state in time of peace, and no soldier shall in time of peace be quartered in any house without the consent of its owner, nor in time of war except in the manner prescribed by law.

SECTION 32 FUNDAMENTAL PRINCIPLES. A frequent recurrence to fundamental principles is essential to the security of individual right and the perpetuity of free government.

SECTION 33 RECALL OF ELECTIVE OFFICERS. Every elective public officer of the state of Washington except [except] judges of courts of record is subject to recall and discharge by the legal voters of the state, or of the political subdivision of the state, from which he was elected whenever a petition demanding his recall, reciting that such officer has committed some act or acts of malfeasance or misfeasance while in office, or who has violated his oath of office, stating the matters complained of, signed by the percentages of the qualified electors thereof, hereinafter provided, the percentage required to be computed from the total number of votes cast for all candidates for his said office to which he was elected at the preceding election, is filed with the officer with whom a petition for nomination, or certificate for nomination, to such office must be filed under the laws of this state, and the same officer shall call a special election as provided by the general election laws of this state, and the result determined as therein provided. [AMENDMENT 8, 1911 p 504 Section 1. Approved November, 1912.]

SECTION 34 SAME. The legislature shall pass the necessary laws to carry out the provisions of section thirty-three (33) of this article, and to facilitate its operation and effect without delay: *Provided*, 2008

That the authority hereby conferred upon the legislature shall not be construed to grant to the legislature any exclusive power of lawmaking nor in any way limit the initiative and referendum powers reserved by the people. The percentages required shall be, state officers, other than judges, senators and representatives, city officers of cities of the first class, school district boards in cities of the first class; county officers of counties of the first, second and third classes, twenty-five per cent. Officers of all other political subdivisions, cities, towns, townships, precincts and school districts not herein mentioned, and state senators and representatives, thirty-five per cent. [AMENDMENT 8, 1911 p 504 Section 1. Approved November, 1912.]

SECTION 35 VICTIMS OF CRIMES -- RIGHTS. Effective law enforcement depends on cooperation from victims of crime. To ensure victims a meaningful role in the criminal justice system and to accord them due dignity and respect, victims of crime are hereby granted the following basic and fundamental rights.

Upon notifying the prosecuting attorney, a victim of a crime charged as a felony shall have the right to be informed of and, subject to the discretion of the individual presiding over the trial or court proceedings, attend trial and all other court proceedings the defendant has the right to attend, and to make a statement at sentencing and at any proceeding where the defendant's release is considered, subject to the same rules of procedure which govern the defendant's rights. In the event the victim is deceased, incompetent, a minor, or otherwise unavailable, the prosecuting attorney may identify a representative to appear to exercise the victim's rights. This provision shall not constitute a basis for error in favor of a defendant in a criminal proceeding nor a basis for providing a victim or the victim's representative with court appointed counsel. [AMENDMENT 84, 1989 Senate Joint Resolution No. 8200, p 2999. Approved November 7, 1989.]

ARTICLE II - LEGISLATIVE DEPARTMENT

SECTION 1 LEGISLATIVE POWERS, WHERE VESTED. The legislative authority of the state of Washington shall be vested in the legislature, consisting of a senate and house of representatives, which shall be called the legislature of the state of Washington, but the people reserve to themselves the power to propose bills, laws, and to enact or reject the same at the polls, independent of the legislature, and also reserve power, at their own option, to approve or reject at the polls any act, item, section, or part of any bill, act, or law passed by the legislature.

(a) Initiative: The first power reserved by the people is the initiative. Every such petition shall include the full text of the measure so proposed. In the case of initiatives to the legislature and initiatives to the people, the number of valid signatures of legal voters required shall be equal to eight percent of the votes cast for the office of governor at the last gubernatorial election preceding the initial filing of the text of the initiative measure with the secretary of state.

Initiative petitions shall be filed with the secretary of state not less than four months before the election at which they are to be voted upon, or not less than ten days before any regular session of the legislature. If filed at least four months before the election at which they are to be voted upon, he shall submit the same to the vote of the people at the said election. If such petitions are filed not less than ten days before any regular session of the legislature, he shall certify the results within forty days of the filing. If certification is not complete by the date that the legislature convenes, he shall provisionally certify the measure pending final certification of the measure. Such initiative measures, whether certified or provisionally certified, shall take precedence over all other measures in the legislature except appropriation bills and shall be either enacted or rejected without change or amendment by the legislature before the end of such regular session. If any such initiative measures shall be enacted by the legislature it shall be subject to the referendum petition, or it may be enacted and referred by the legislature to the people for approval or rejection at the next regular election. If it is rejected or if no action is taken upon it by the legislature before the end of such regular session, the secretary of state shall submit it to the people for approval or rejection at the next ensuing regular general election. The legislature may reject any measure so proposed by initiative petition and propose a different one dealing with the same subject, and in such event both measures shall be submitted by the secretary of state to the people for approval or rejection at the next ensuing regular general election. When conflicting measures are submitted to the people the ballots shall be so printed that a voter can express separately by making one cross (X) for each, two preferences, first, as between either measure and neither, and secondly, as between one and the other. If the majority of those voting on the first issue is for neither, both fail, but in that case the votes on the second issue shall nevertheless be carefully counted and made public. If a majority voting on the first issue is for either, then the measure receiving a majority of the votes on the second issue shall be law.

(b) Referendum. The second power reserved by the people is the referendum, and it may be ordered on any act, bill, law, or any part thereof passed by the legislature, except such laws as may be necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions, either by petition signed by the required percentage of the legal voters, or by the legislature as other bills are enacted: *Provided*, That the legislature may not order a referendum on any initiative measure enacted by the legislature under the foregoing subsection (a). The number of valid signatures of registered voters required on a petition for referendum of an act of the legislature or any part thereof, shall be equal to or exceeding four percent of the votes cast for the office of governor at the last gubernatorial election preceding the filing of the text of the referendum measure with the secretary of state.

(c) No act, law, or bill subject to referendum shall take effect until ninety days after the adjournment of the session at which it was enacted. No act, law, or bill approved by a majority of the electors voting thereon shall be amended or repealed by the legislature within a period of two years following such enactment: *Provided*, That any such act, law, or bill may be amended within two years after such enactment at any regular or special session of the legislature by a vote of two-thirds of all the members elected to each house with full compliance with section 12, Article III, of the Washington Constitution, and no amendatory law adopted in accordance with this provision shall be subject to

referendum. But such enactment may be amended or repealed at any general regular or special election by direct vote of the people thereon.

(d) The filing of a referendum petition against one or more items, sections, or parts of any act, law, or bill shall not delay the remainder of the measure from becoming operative. Referendum petitions against measures passed by the legislature shall be filed with the secretary of state not later than ninety days after the final adjournment of the session of the legislature which passed the measure on which the referendum is demanded. The veto power of the governor shall not extend to measures initiated by or referred to the people. All elections on measures referred to the people of the state shall be had at the next succeeding regular general election following the filing of the measure with the secretary of state, except when the legislature shall order a special election. Any measure initiated by the people or referred to the people as herein provided shall take effect and become the law if it is approved by a majority of the votes cast thereon: *Provided*, That the vote cast upon such question or measure shall equal one-third of the total votes cast at such election and not otherwise. Such measure shall be in operation on and after the thirtieth day after the election at which it is approved. The style of all bills proposed by initiative petition shall be: "Be it enacted by the people of the State of Washington." This section shall not be construed to deprive any member of the legislature of the right to introduce any measure. All such petitions shall be filed with the secretary of state, who shall be guided by the general laws in submitting the same to the people until additional legislation shall especially provide therefor. This section is self-executing, but legislation may be enacted especially to facilitate its operation.

(e) The legislature shall provide methods of publicity of all laws or parts of laws, and amendments to the Constitution referred to the people with arguments for and against the laws and amendments so referred. The secretary of state shall send one copy of the publication to each individual place of residence in the state and shall make such additional distribution as he shall determine necessary to reasonably assure that each voter will have an opportunity to study the measures prior to election. [AMENDMENT 72, 1981 Substitute Senate Joint Resolution No. 133, p 1796. Approved November 3, 1981.]

SECTION 2 HOUSE OF REPRESENTATIVES AND SENATE. The house of representatives shall be composed of not less than sixty-three nor more than ninety-nine members. The number of senators shall not be more than one-half nor less than one-third of the number of members of the house of representatives. The first legislature shall be composed of seventy members of the house of representatives, and thirty-five senators.

SECTION 3 THE CENSUS. [Repealed by AMENDMENT 74, 1983 Substitute Senate Joint Resolution No. 103, p 2202. Approved November 8, 1983.]

SECTION 4 ELECTION OF REPRESENTATIVES AND TERM OF OFFICE. Members of the house of representatives shall be elected in the year eighteen hundred and eighty-nine at the time and in the manner provided by this Constitution, and shall hold their offices for the term of one year and until their successors shall be elected.

SECTION 5 ELECTIONS, WHEN TO BE HELD. The next election of the members of the house of representatives after the adoption of this Constitution shall be on the first Tuesday after the first

Monday of November, eighteen hundred and ninety, and thereafter, members of the house of representatives shall be elected biennially and their term of office shall be two years; and each election shall be on the first Tuesday after the first Monday in November, unless otherwise changed by law.

SECTION 6 ELECTION AND TERM OF OFFICE OF SENATORS. After the first election the senators shall be elected by single districts of convenient and contiguous territory, at the same time and in the same manner as members of the house of representatives are required to be elected; and no representative district shall be divided in the formation of a senatorial district. They shall be elected for the term of four years, one-half of their number retiring every two years. The senatorial districts shall be numbered consecutively, and the senators chosen at the first election had by virtue of this Constitution, in odd numbered districts, shall go out of office at the end of the first year; and the senators, elected in the even numbered districts, shall go out of office at the end of the third year.

SECTION 7 QUALIFICATIONS OF LEGISLATORS. No person shall be eligible to the legislature who shall not be a citizen of the United States and a qualified voter in the district for which he is chosen.

SECTION 8 JUDGES OF THEIR OWN ELECTION AND QUALIFICATION - QUORUM. Each house shall be the judge of the election, returns and qualifications of its own members, and a majority of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day and may compel the attendance of absent members, in such manner and under such penalties as each house may provide.

SECTION 9 RULES OF PROCEDURE. Each house may determine the rules of its own proceedings, punish for contempt and disorderly behavior, and, with the concurrence of two-thirds of all the members elected, expel a member, but no member shall be expelled a second time for the same offense.

SECTION 10 ELECTION OF OFFICERS. Each house shall elect its own officers; and when the lieutenant governor shall not attend as president, or shall act as governor, the senate shall choose a temporary president. When presiding, the lieutenant governor shall have the deciding vote in case of an equal division of the senate.

SECTION 11 JOURNAL, PUBLICITY OF MEETINGS - ADJOURNMENTS. Each house shall keep a journal of its proceedings and publish the same, except such parts as require secrecy. The doors of each house shall be kept open, except when the public welfare shall require secrecy. Neither house shall adjourn for more than three days, nor to any place other than that in which they may be sitting, without the consent of the other.

SECTION 12 SESSIONS, WHEN -- DURATION. (1) Regular Sessions. A regular session of the legislature shall be convened each year. Regular sessions shall convene on such day and at such time as the legislature shall determine by statute. During each odd-numbered year, the regular session shall not be more than one hundred five consecutive days. During each even-numbered year, the regular session shall not be more than sixty consecutive days.

(2) Special Legislative Sessions. Special legislative sessions may be convened for a period of not more than thirty consecutive days by proclamation of the governor pursuant to Article III, section 7 of this Constitution. Special legislative sessions may also be convened for a period of not more than thirty consecutive days by resolution of the legislature upon the affirmative vote in each house of two-thirds of the members elected or appointed thereto, which vote may be taken and resolution executed either while the legislature is in session or during any interim between sessions in accordance with such procedures as the legislature may provide by law or resolution. The resolution convening the legislature shall specify a purpose or purposes for the convening of a special session, and any special session convened by the resolution shall consider only measures germane to the purpose or purposes expressed in the resolution, unless by resolution adopted during the session upon the affirmative vote in each house of two-thirds of the members elected or appointed thereto, an additional purpose or purposes are expressed. The specification of purpose by the governor pursuant to Article III, section 7 of this Constitution shall be considered by the legislature but shall not be mandatory.

(3) Committees of the Legislature. Standing and special committees of the legislature shall meet and conduct official business pursuant to such rules as the legislature may adopt. [AMENDMENT 68, 1979 Substitute Senate Joint Resolution No. 110, p 2286. Approved November 6, 1979.]

SECTION 13 LIMITATION ON MEMBERS HOLDING OFFICE IN THE STATE. No member of the legislature, during the term for which he is elected, shall be appointed or elected to any civil office in the state, which shall have been created during the term for which he was elected. Any member of the legislature who is appointed or elected to any civil office in the state, the emoluments of which have been increased during his legislative term of office, shall be compensated for the initial term of the civil office at the level designated prior to the increase in emoluments. [AMENDMENT 69, 1979 Senate Joint Resolution No. 112, p 2287. Approved November 6, 1979.]

SECTION 14 SAME, FEDERAL OR OTHER OFFICE. No person, being a member of congress, or holding any civil or military office under the United States or any other power, shall be eligible to be a member of the legislature; and if any person after his election as a member of the legislature, shall be elected to congress or be appointed to any other office, civil or military, under the government of the United States, or any other power, his acceptance thereof shall vacate his seat, provided, that officers in the militia of the state who receive no annual salary, local officers and postmasters, whose compensation does not exceed three hundred dollars per annum, shall not be ineligible.

SECTION 15 VACANCIES IN LEGISLATURE AND IN PARTISAN COUNTY ELECTIVE OFFICE. Such vacancies as may occur in either house of the legislature or in any partisan county elective office shall be filled by appointment by the county legislative authority of the county in which the vacancy occurs: *Provided*, That the person appointed to fill the vacancy must be from the same legislative district, county, or county commissioner or council district and the same political party as the legislator or partisan county elective officer whose office has been vacated, and shall be one of three persons who shall be nominated by the county central committee of that party, and in case a majority of the members of the county legislative authority do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days thereafter, and from the list of nominees provided for herein, appoint a person who shall be from the same legislative district, county, or county commissioner or council district and of the same political party as the legislator or partisan county

elective officer whose office has been vacated, and the person so appointed shall hold office until his or her successor is elected at the next general election, and has qualified: *Provided*, That in case of a vacancy occurring after the general election in a year that the office appears on the ballot and before the start of the next term, the term of the successor who is of the same party as the incumbent may commence once he or she has qualified and shall continue through the term for which he or she was elected: *Provided*, That in case of a vacancy occurring in the office of joint senator, or joint representative, the vacancy shall be filled from a list of three nominees selected by the state central committee, by appointment by the joint action of the boards of county legislative authorities of the counties composing the joint senatorial or joint representative district, the person appointed to fill the vacancy must be from the same legislative district and of the same political party as the legislator whose office has been vacated, and in case a majority of the members of the county legislative authority do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days thereafter, and from the list of nominees provided for herein, appoint a person who shall be from the same legislative district and of the same political party as the legislator whose office has been vacated. [AMENDMENT 96, 2003 House Joint Resolution No. 4206, p 2819. Approved November 4, 2003.]

SECTION 16 PRIVILEGES FROM ARREST. Members of the legislature shall be privileged from arrest in all cases except treason, felony and breach of the peace; they shall not be subject to any civil process during the session of the legislature, nor for fifteen days next before the commencement of each session.

SECTION 17 FREEDOM OF DEBATE. No member of the legislature shall be liable in any civil action or criminal prosecution whatever, for words spoken in debate.

SECTION 18 STYLE OF LAWS. The style of the laws of the state shall be: "Be it enacted by the Legislature of the State of Washington." And no laws shall be enacted except by bill.

SECTION 19 BILL TO CONTAIN ONE SUBJECT. No bill shall embrace more than one subject, and that shall be expressed in the title.

SECTION 20 ORIGIN AND AMENDMENT OF BILLS. Any bill may originate in either house of the legislature, and a bill passed by one house may be amended in the other.

SECTION 21 YEAS AND NAYS. The yeas and nays of the members of either house shall be entered on the journal, on the demand of one-sixth of the members present.

SECTION 22 PASSAGE OF BILLS. No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded thereon as voting in its favor.

SECTION 23 COMPENSATION OF MEMBERS. Each member of the legislature shall receive for his services five dollars for each day's attendance during the session, and ten cents for every mile he shall travel in going to and returning from the place of meeting of the legislature, on the most usual route.

SECTION 24 LOTTERIES AND DIVORCE. The legislature shall never grant any divorce. Lotteries shall be prohibited except as specifically authorized upon the affirmative vote of sixty percent of the members of each house of the legislature or, notwithstanding any other provision of this Constitution, by referendum or initiative approved by a sixty percent affirmative vote of the electors voting thereon. [AMENDMENT 56, 1971 Senate Joint Resolution No. 5, p 1828. Approved November 7, 1972.]

SECTION 25 EXTRA COMPENSATION PROHIBITED. The legislature shall never grant any extra compensation to any public officer, agent, employee, servant, or contractor, after the services shall have been rendered, or the contract entered into, nor shall the compensation of any public officer be increased or diminished during his term of office. Nothing in this section shall be deemed to prevent increases in pensions after such pensions shall have been granted. [AMENDMENT 35, 1957 Senate Joint Resolution No. 18, p 1301. Approved November 4, 1958.]

SECTION 26 SUITS AGAINST THE STATE. The legislature shall direct by law, in what manner, and in what courts, suits may be brought against the state.

SECTION 27 ELECTIONS -- VIVA VOCE VOTE. In all elections by the legislature the members shall vote viva voce, and their votes shall be entered on the journal.

SECTION 28 SPECIAL LEGISLATION. The legislature is prohibited from enacting any private or special laws in the following cases:

1. For changing the names of persons, or constituting one person the heir at law of another.
2. For laying out, opening or altering highways, except in cases of state roads extending into more than one county, and military roads to aid in the construction of which lands shall have been or may be granted by congress.
3. For authorizing persons to keep ferries wholly within this state.
4. For authorizing the sale or mortgage of real or personal property of minors, or others under disability.
5. For assessment or collection of taxes, or for extending the time for collection thereof.
6. For granting corporate powers or privileges.
7. For authorizing the apportionment of any part of the school fund.
8. For incorporating any town or village or to amend the charter thereof.
9. From giving effect to invalid deeds, wills or other instruments.
10. Releasing or extinguishing in whole or in part, the indebtedness, liability or other obligation, of any person, or corporation to this state, or to any municipal corporation therein.
11. Declaring any person of age or authorizing any minor to sell, lease, or encumber his or her property.
12. Legalizing, except as against the state, the unauthorized or invalid act of any officer.

13. Regulating the rates of interest on money.
14. Remitting fines, penalties or forfeitures.
15. Providing for the management of common schools.
16. Authorizing the adoption of children.
17. For limitation of civil or criminal actions.
18. Changing county lines, locating or changing county seats, provided, this shall not be construed to apply to the creation of new counties.

SECTION 29 CONVICT LABOR. The labor of inmates of this state shall not be let out by contract to any person, copartnership, company, or corporation, except as provided by statute, and the legislature shall by law provide for the working of inmates for the benefit of the state, including the working of inmates in state-run inmate labor programs. Inmate labor programs provided by statute that are operated and managed, in total or in part, by any profit or nonprofit entities shall be operated so that the programs do not unfairly compete with Washington businesses as determined by law. [AMENDMENT 100, 2007 Senate Joint Resolution No. 8212, p 3143. Approved November 6, 2007.]

SECTION 30 BRIBERY OR CORRUPT SOLICITATION. The offense of corrupt solicitation of members of the legislature, or of public officers of the state or any municipal division thereof, and any occupation or practice of solicitation of such members or officers to influence their official action, shall be defined by law, and shall be punished by fine and imprisonment. Any person may be compelled to testify in any lawful investigation or judicial proceeding against any person who may be charged with having committed the offense of bribery or corrupt solicitation, or practice of solicitation, and shall not be permitted to withhold his testimony on the ground that it may criminate himself or subject him to public infamy, but such testimony shall not afterwards be used against him in any judicial proceeding - except for perjury in giving such testimony - and any person convicted of either of the offenses aforesaid, shall as part of the punishment therefor, be disqualified from ever holding any position of honor, trust or profit in this state. A member who has a private interest in any bill or measure proposed or pending before the legislature, shall disclose the fact to the house of which he is a member, and shall not vote thereon.

SECTION 31 LAWS, WHEN TO TAKE EFFECT. [This section stricken by AMENDMENT 7, 1911 House Bill No. 153, p 136. Approved November, 1912.]

SECTION 32 LAWS, HOW SIGNED. No bill shall become a law until the same shall have been signed by the presiding officer of each of the two houses in open session, and under such rules as the legislature shall prescribe.

SECTION 33 ALIEN OWNERSHIP. [Repealed by AMENDMENT 42, 1965 ex.s. Senate Joint Resolution No. 20, p 2816. Approved November 8, 1966.]

SECTION 34 BUREAU OF STATISTICS, AGRICULTURE AND IMMIGRATION. There shall be established in the office of the secretary of state, a bureau of statistics, agriculture and immigration, under such regulations as the legislature may provide.

SECTION 35 PROTECTION OF EMPLOYEES. The legislature shall pass necessary laws for the protection of persons working in mines, factories and other employments dangerous to life or deleterious to health; and fix pains and penalties for the enforcement of the same.

SECTION 36 WHEN BILLS MUST BE INTRODUCED. No bill shall be considered in either house unless the time of its introduction shall have been at least ten days before the final adjournment of the legislature, unless the legislature shall otherwise direct by a vote of two-thirds of all the members elected to each house, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session.

SECTION 37 REVISION OR AMENDMENT. No act shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length.

SECTION 38 LIMITATION ON AMENDMENTS. No amendment to any bill shall be allowed which shall change the scope and object of the bill.

SECTION 39 FREE TRANSPORTATION TO PUBLIC OFFICER PROHIBITED. It shall not be lawful for any person holding public office in this state to accept or use a pass or to purchase transportation from any railroad or other corporation, other than as the same may be purchased by the general public, and the legislature shall pass laws to enforce this provision.

SECTION 40 HIGHWAY FUNDS. All fees collected by the State of Washington as license fees for motor vehicles and all excise taxes collected by the State of Washington on the sale, distribution or use of motor vehicle fuel and all other state revenue intended to be used for highway purposes, shall be paid into the state treasury and placed in a special fund to be used exclusively for highway purposes. Such highway purposes shall be construed to include the following:

(a) The necessary operating, engineering and legal expenses connected with the administration of public highways, county roads and city streets;

(b) The construction, reconstruction, maintenance, repair, and betterment of public highways, county roads, bridges and city streets; including the cost and expense of (1) acquisition of rights-of-way, (2) installing, maintaining and operating traffic signs and signal lights, (3) policing by the state of public highways, (4) operation of movable span bridges, (5) operation of ferries which are a part of any public highway, county road, or city street;

(c) The payment or refunding of any obligation of the State of Washington, or any political subdivision thereof, for which any of the revenues described in section 1 may have been legally pledged prior to the effective date of this act;

(d) Refunds authorized by law for taxes paid on motor vehicle fuels;

(e) The cost of collection of any revenues described in this section:

Provided, That this section shall not be construed to include revenue from general or special taxes or excises not levied primarily for highway purposes, or apply to vehicle operator's license fees or any excise tax imposed on motor vehicles or the use thereof in lieu of a property tax thereon, or fees for certificates of ownership of motor vehicles. [AMENDMENT 18, 1943 House Joint Resolution No. 4, p 938. Approved November, 1944.]

SECTION 41 LAWS, EFFECTIVE DATE, INITIATIVE, REFERENDUM -- AMENDMENT OR REPEAL. No act, law, or bill subject to referendum shall take effect until ninety days after the adjournment of the session at which it was enacted. No act, law or bill approved by a majority of the electors voting thereon shall be amended or repealed by the legislature within a period of two years following such enactment: *Provided*, That any such act, law or bill may be amended within two years after such enactment at any regular or special session of the legislature by a vote of two-thirds of all the members elected to each house with full compliance with section 12, Article III, of the Washington Constitution, and no amendatory law adopted in accordance with this provision shall be subject to referendum. But such enactment may be amended or repealed at any general regular or special election by direct vote of the people thereon. These provisions supersede the provisions of subsection (c) of section 1 of this article as amended by the seventh amendment to the Constitution of this state. [AMENDMENT 26, 1951 Substitute Senate Joint Resolution No. 7, p 959. Approved November 4, 1952.]

SECTION 42 GOVERNMENTAL CONTINUITY DURING EMERGENCY PERIODS. The legislature, in order to insure continuity of state and local governmental operations in periods of emergency resulting from enemy attack, shall have the power and the duty, immediately upon and after adoption of this amendment, to enact legislation providing for prompt and temporary succession to the powers and duties of public offices of whatever nature and whether filled by election or appointment, the incumbents and legal successors of which may become unavailable for carrying on the powers and duties of such offices; the legislature shall likewise enact such other measures as may be necessary and proper for insuring the continuity of governmental operations during such emergencies. Legislation enacted under the powers conferred by this amendment shall in all respects conform to the remainder of the Constitution: *Provided*, That if, in the judgment of the legislature at the time of disaster, conformance to the provisions of the Constitution would be impracticable or would admit of undue delay, such legislation may depart during the period of emergency caused by enemy attack only, from the following sections of the Constitution:

Article 14, Sections 1 and 2, Seat of Government;

Article 2, Sections 8, 15 (Amendments 13 and 32), and 22, Membership, Quorum of Legislature and Passage of Bills;

Article 3, Section 10 (Amendment 6), Succession to Governorship: *Provided*, That the legislature shall not depart from Section 10, Article III, as amended by Amendment 6, of the state Constitution relating to the Governor's office so long as any successor therein named is available and capable of assuming the powers and duties of such office as therein prescribed;

Article 3, Section 13, Vacancies in State Offices;

Article 11, Section 6, Vacancies in County Offices;

Article 11, Section 2, Seat of County Government;

Article 3, Section 24, State Records. [AMENDMENT 39, 1961 House Joint Resolution No. 9, p 2758. Approved November, 1962.]

SECTION 43 REDISTRICTING. (1) In January of each year ending in one, a commission shall be established to provide for the redistricting of state legislative and congressional districts.

(2) The commission shall be composed of five members to be selected as follows: The legislative leader of the two largest political parties in each house of the legislature shall appoint one voting member to the commission by January 15th of each year ending in one. By January 31st of each year ending in one, the four appointed members, by an affirmative vote of at least three, shall appoint the remaining member. The fifth member of the commission, who shall be nonvoting, shall act as its chairperson. If any appointing authority fails to make the required appointment by the date established by this subsection, within five days after that date the supreme court shall make the required appointment.

(3) No elected official and no person elected to legislative district, county, or state political party office may serve on the commission. A commission member shall not have been an elected official and shall not have been an elected legislative district, county, or state political party officer within two years of his or her appointment to the commission. The provisions of this subsection do not apply to the office of precinct committee person.

(4) The legislature shall enact laws providing for the implementation of this section, to include additional qualifications for commissioners and additional standards to govern the commission. The legislature shall appropriate funds to enable the commission to carry out its duties.

(5) Each district shall contain a population, excluding nonresident military personnel, as nearly equal as practicable to the population of any other district. To the extent reasonable, each district shall contain contiguous territory, shall be compact and convenient, and shall be separated from adjoining districts by natural geographic barriers, artificial barriers, or political subdivision boundaries. The commission's plan shall not provide for a number of legislative districts different than that established by the legislature. The commission's plan shall not be drawn purposely to favor or discriminate against any political party or group.

(6) The commission shall complete redistricting as soon as possible following the federal decennial census, but no later than January 1st of each year ending in two. At least three of the voting members shall approve such a redistricting plan. If three of the voting members of the commission fail to approve a plan within the time limitations provided in this subsection, the supreme court shall adopt a plan by April 30th of the year ending in two in conformance with the standards set forth in subsection (5) of this section.

(7) The legislature may amend the redistricting plan but must do so by a two-thirds vote of the legislators elected or appointed to each house of the legislature. Any amendment must have passed both houses by the end of the thirtieth day of the first session convened after the commission has submitted its plan to the legislature. After that day, the plan, with any legislative amendments, constitutes the state districting law.

(8) The legislature shall enact laws providing for the reconvening of a commission for the purpose of modifying a districting law adopted under this section. Such reconvening requires a two-thirds vote of the legislators elected or appointed to each house of the legislature. The commission shall conform to the standards prescribed under subsection (5) of this section and any other standards or procedures that the legislature may provide by law. At least three of the voting members shall approve such a modification. Any modification adopted by the commission may be amended by a two-thirds vote of the legislators elected and appointed to each house of the legislature. The state districting law shall include the modifications with amendments, if any.

(9) The legislature shall prescribe by law the terms of commission members and the method of filling vacancies on the commission.

(10) The supreme court has original jurisdiction to hear and decide all cases involving congressional and legislative redistricting.

(11) Legislative and congressional districts may not be changed or established except pursuant to this section. A districting plan and any legislative amendments to the plan are not subject to Article III, section 12 of this Constitution. [AMENDMENT 74, 1983 Substitute Senate Joint Resolution No. 103, p 2202. Approved November 8, 1983.]

ARTICLE III - THE EXECUTIVE

SECTION 1 EXECUTIVE DEPARTMENT. The executive department shall consist of a governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, and a commissioner of public lands, who shall be severally chosen by the qualified electors of the state at the same time and place of voting as for the members of the legislature.

SECTION 2 GOVERNOR, TERM OF OFFICE. The supreme executive power of this state shall be vested in a governor, who shall hold his office for a term of four years, and until his successor is elected and qualified.

SECTION 3 OTHER EXECUTIVE OFFICERS, TERMS OF OFFICE. The lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, and commissioner of

public lands, shall hold their offices for four years respectively, and until their successors are elected and qualified.

SECTION 4 RETURNS OF ELECTIONS, CANVASS, ETC. The returns of every election for the officers named in the first section of this article shall be sealed up and transmitted to the seat of government by the returning officers, directed to the secretary of state, who shall deliver the same to the speaker of the house of representatives at the first meeting of the house thereafter, who shall open, publish and declare the result thereof in the presence of a majority of the members of both houses. The person having the highest number of votes shall be declared duly elected, and a certificate thereof shall be given to such person, signed by the presiding officers of both houses; but if any two or more shall be highest and equal in votes for the same office, one of them shall be chosen by the joint vote of both houses. Contested elections for such officers shall be decided by the legislature in such manner as shall be determined by law. The terms of all officers named in section one of this article shall commence on the second Monday in January after their election until otherwise provided by law.

SECTION 5 GENERAL DUTIES OF GOVERNOR. The governor may require information in writing from the officers of the state upon any subject relating to the duties of their respective offices, and shall see that the laws are faithfully executed.

SECTION 6 MESSAGES. He shall communicate at every session by message to the legislature the condition of the affairs of the state, and recommend such measures as he shall deem expedient for their action.

SECTION 7 EXTRA LEGISLATIVE SESSIONS. He may, on extraordinary occasions, convene the legislature by proclamation, in which shall be stated the purposes for which the legislature is convened.

SECTION 8 COMMANDER-IN-CHIEF. He shall be commander-in-chief of the military in the state except when they shall be called into the service of the United States.

SECTION 9 PARDONING POWER. The pardoning power shall be vested in the governor under such regulations and restrictions as may be prescribed by law.

SECTION 10 VACANCY IN OFFICE OF GOVERNOR. In case of the removal, resignation, death or disability of the governor, the duties of the office shall devolve upon the lieutenant governor; and in case of a vacancy in both the offices of governor and lieutenant governor, the duties of the governor shall devolve upon the secretary of state. In addition to the line of succession to the office and duties of governor as hereinabove indicated, if the necessity shall arise, in order to fill the vacancy in the office of governor, the following state officers shall succeed to the duties of governor and in the order named, viz.: Treasurer, auditor, attorney general, superintendent of public instruction and commissioner of public lands. In case of the death, disability, failure or refusal of the person regularly elected to the office of governor to qualify at the time provided by law, the duties of the office shall devolve upon the person regularly elected to and qualified for the office of lieutenant governor, who shall act as governor until the disability be removed, or a governor be elected; and in case of the death, disability, failure or refusal of both the governor and the lieutenant governor elect to qualify, the duties of the governor shall devolve upon the secretary of state; and in addition to the line of succession to the office and duties of governor as hereinabove indicated, if there shall be the failure or refusal of any officer named

above to qualify, and if the necessity shall arise by reason thereof, then in that event in order to fill the vacancy in the office of governor, the following state officers shall succeed to the duties of governor in the order named, viz: Treasurer, auditor, attorney general, superintendent of public instruction and commissioner of public lands. Any person succeeding to the office of governor as in this section provided, shall perform the duties of such office only until the disability be removed, or a governor be elected and qualified; and if a vacancy occur more than thirty days before the next general election occurring within two years after the commencement of the term, a person shall be elected at such election to fill the office of governor for the remainder of the unexpired term. [AMENDMENT 6, 1909 p 642 Section 1. Approved November, 1910.]

SECTION 11 REMISSION OF FINES AND FORFEITURES. The governor shall have power to remit fines and forfeitures, under such regulations as may be prescribed by law, and shall report to the legislature at its next meeting each case of reprieve, commutation or pardon granted, and the reasons for granting the same, and also the names of all persons in whose favor remission of fines and forfeitures shall have been made, and the several amounts remitted and the reasons for the remission.

SECTION 12 VETO POWERS. Every act which shall have passed the legislature shall be, before it becomes a law, presented to the governor. If he approves, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, which house shall enter the objections at large upon the journal and proceed to reconsider. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present, it shall become a law; but in all such cases the vote of both houses shall be determined by the yeas and nays, and the names of the members voting for or against the bill shall be entered upon the journal of each house respectively. If any bill shall not be returned by the governor within five days, Sundays excepted, after it shall be presented to him, it shall become a law without his signature, unless the general adjournment shall prevent its return, in which case it shall become a law unless the governor, within twenty days next after the adjournment, Sundays excepted, shall file such bill with his objections thereto, in the office of secretary of state, who shall lay the same before the legislature at its next session in like manner as if it had been returned by the governor: *Provided*, That within forty-five days next after the adjournment, Sundays excepted, the legislature may, upon petition by a two-thirds majority or more of the membership of each house, reconvene in extraordinary session, not to exceed five days duration, solely to reconsider any bills vetoed. If any bill presented to the governor contain several sections or appropriation items, he may object to one or more sections or appropriation items while approving other portions of the bill: *Provided*, That he may not object to less than an entire section, except that if the section contain one or more appropriation items he may object to any such appropriation item or items. In case of objection he shall append to the bill, at the time of signing it, a statement of the section or sections, appropriation item or items to which he objects and the reasons therefor; and the section or sections, appropriation item or items so objected to shall not take effect unless passed over the governor's objection, as hereinbefore provided. The provisions of Article II, section 12 insofar as they are inconsistent herewith are hereby repealed. [AMENDMENT 62, 1974 Senate Joint Resolution No. 140, p 806. Approved November 5, 1974.]

SECTION 13 VACANCY IN APPOINTIVE OFFICE. When, during a recess of the legislature, a vacancy shall happen in any office, the appointment to which is vested in the legislature, or when at any time a vacancy shall have occurred in any other state office, for the filling of which vacancy no provision is made elsewhere in this Constitution, the governor shall fill such vacancy by appointment, which shall expire when a successor shall have been elected and qualified.

SECTION 14 SALARY. The governor shall receive an annual salary of four thousand dollars, which may be increased by law, but shall never exceed six thousand dollars per annum.

SECTION 15 COMMISSIONS, HOW ISSUED. All commissions shall issue in the name of the state, shall be signed by the governor, sealed with the seal of the state, and attested by the secretary of state.

SECTION 16 LIEUTENANT GOVERNOR, DUTIES AND SALARY. The lieutenant governor shall be presiding officer of the state senate, and shall discharge such other duties as may be prescribed by law. He shall receive an annual salary of one thousand dollars, which may be increased by the legislature, but shall never exceed three thousand dollars per annum.

SECTION 17 SECRETARY OF STATE, DUTIES AND SALARY. The secretary of state shall keep a record of the official acts of the legislature, and executive department of the state, and shall, when required, lay the same, and all matters relative thereto, before either branch of the legislature, and shall perform such other duties as shall be assigned him by law. He shall receive an annual salary of twenty-five hundred dollars, which may be increased by the legislature, but shall never exceed three thousand dollars per annum.

SECTION 18 SEAL. There shall be a seal of the state kept by the secretary of state for official purposes, which shall be called, "The Seal of the State of Washington."

SECTION 19 STATE TREASURER, DUTIES AND SALARY. The treasurer shall perform such duties as shall be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the legislature, but shall never exceed four thousand dollars per annum.

SECTION 20 STATE AUDITOR, DUTIES AND SALARY. The auditor shall be auditor of public accounts, and shall have such powers and perform such duties in connection therewith as may be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the legislature, but shall never exceed three thousand dollars per annum.

SECTION 21 ATTORNEY GENERAL, DUTIES AND SALARY. The attorney general shall be the legal adviser of the state officers, and shall perform such other duties as may be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the legislature, but shall never exceed thirty-five hundred dollars per annum.

SECTION 22 SUPERINTENDENT OF PUBLIC INSTRUCTION, DUTIES AND SALARY. The superintendent of public instruction shall have supervision over all matters pertaining to public schools, and shall perform such specific duties as may be prescribed by law. He shall receive an annual salary of twenty-five hundred dollars, which may be increased by law, but shall never exceed four thousand dollars per annum.

SECTION 23 COMMISSIONER OF PUBLIC LANDS -- COMPENSATION. The commissioner of public lands shall perform such duties and receive such compensation as the legislature may direct.

SECTION 24 RECORDS, WHERE KEPT, ETC. The governor, secretary of state, treasurer, auditor, superintendent of public instruction, commissioner of public lands and attorney general shall severally keep the public records, books and papers relating to their respective offices, at the seat of government, at which place also the governor, secretary of state, treasurer and auditor shall reside.

SECTION 25 QUALIFICATIONS, COMPENSATION, OFFICES WHICH MAY BE ABOLISHED. No person, except a citizen of the United States and a qualified elector of this state, shall be eligible to hold any state office. The compensation for state officers shall not be increased or diminished during the term for which they shall have been elected. The legislature may in its discretion abolish the offices of the lieutenant governor, auditor and commissioner of public lands. [AMENDMENT 31, 1955 Senate Joint Resolution No. 6, p 1861. Approved November 6, 1956.]

ARTICLE IV - THE JUDICIARY

SECTION 1 JUDICIAL POWER, WHERE VESTED. The judicial power of the state shall be vested in a supreme court, superior courts, justices of the peace, and such inferior courts as the legislature may provide.

SECTION 2 SUPREME COURT. The supreme court shall consist of five judges, a majority of whom shall be necessary to form a quorum, and pronounce a decision. The said court shall always be open for the transaction of business except on nonjudicial days. In the determination of causes all decisions of the court shall be given in writing and the grounds of the decision shall be stated. The legislature may increase the number of judges of the supreme court from time to time and may provide for separate departments of said court.

SECTION 2(a) TEMPORARY PERFORMANCE OF JUDICIAL DUTIES. When necessary for the prompt and orderly administration of justice a majority of the Supreme Court is empowered to authorize judges or retired judges of courts of record of this state, to perform, temporarily, judicial duties in the Supreme Court, and to authorize any superior court judge to perform judicial duties in any superior court of this state. [AMENDMENT 38, 1961 House Joint Resolution No. 6, p 2757. Approved November, 1962.]

SECTION 3 ELECTION AND TERMS OF SUPREME COURT JUDGES. The judges of the supreme court shall be elected by the qualified electors of the state at large at the general state election at the times and places at which state officers are elected, unless some other time be provided by the legislature. The first election of judges of the supreme court shall be at the election which shall be held upon the adoption of this Constitution and the judges elected thereat shall be classified by lot, so that

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two shall hold their office for the term of three years, two for the term of five years, and one for the term of seven years. The lot shall be drawn by the judges who shall for that purpose assemble at the seat of government, and they shall cause the result thereof to be certified to the secretary of state, and filed in his office. The supreme court shall select a chief justice from its own membership to serve for a four-year term at the pleasure of a majority of the court as prescribed by supreme court rule. The chief justice shall preside at all sessions of the supreme court. In case of the absence of the chief justice, the majority of the remaining court shall select one of their members to serve as acting chief justice. After the first election the terms of judges elected shall be six years from and after the second Monday in January next succeeding their election. If a vacancy occur in the office of a judge of the supreme court the governor shall only appoint a person to ensure the number of judges as specified by the legislature, to hold the office until the election and qualification of a judge to fill the vacancy, which election shall take place at the next succeeding general election, and the judge so elected shall hold the office for the remainder of the unexpired term. The term of office of the judges of the supreme court, first elected, shall commence as soon as the state shall have been admitted into the Union, and continue for the term herein provided, and until their successors are elected and qualified. The sessions of the supreme court shall be held at the seat of government until otherwise provided by law. [AMENDMENT 89, 1995 Substitute Senate Joint Resolution No. 8210, p 2905. Approved November 7, 1995.]

SECTION 3(a) RETIREMENT OF SUPREME COURT AND SUPERIOR COURT JUDGES. A judge of the supreme court or the superior court shall retire from judicial office at the end of the calendar year in which he attains the age of seventy-five years. The legislature may, from time to time, fix a lesser age for mandatory retirement, not earlier than the end of the calendar year in which any such judge attains the age of seventy years, as the legislature deems proper. This provision shall not affect the term to which any such judge shall have been elected or appointed prior to, or at the time of, approval and ratification of this provision. Notwithstanding the limitations of this section, the legislature may by general law authorize or require the retirement of judges for physical or mental disability, or any cause rendering judges incapable of performing their judicial duties. [AMENDMENT 25, 1951 House Joint Resolution No. 6, p 960. Approved November 4, 1952.]

SECTION 4 JURISDICTION. The supreme court shall have original jurisdiction in habeas corpus, and quo warranto and mandamus as to all state officers, and appellate jurisdiction in all actions and proceedings, excepting that its appellate jurisdiction shall not extend to civil actions at law for the recovery of money or personal property when the original amount in controversy, or the value of the property does not exceed the sum of two hundred dollars (\$200) unless the action involves the legality of a tax, impost, assessment, toll, municipal fine, or the validity of a statute. The supreme court shall also have power to issue writs of mandamus, review, prohibition, habeas corpus, certiorari and all other writs necessary and proper to the complete exercise of its appellate and revisory jurisdiction. Each of the judges shall have power to issue writs of habeas corpus to any part of the state upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself, or before the supreme court, or before any superior court of the state or any judge thereof.

SECTION 5 SUPERIOR COURT -- ELECTION OF JUDGES, TERMS OF, ETC. There shall be in each of the organized counties of this state a superior court for which at least one judge shall be elected by the qualified electors of the county at the general state election: Provided, That until otherwise directed by the legislature one judge only shall be elected for the counties of Spokane and Stevens; one judge for

the county of Whitman; one judge for the counties of Lincoln, Okanogan, Douglas and Adams; one judge for the counties of Walla Walla and Franklin; one judge for the counties of Columbia, Garfield and Asotin; one judge for the counties of Kittitas, Yakima and Klickitat; one judge for the counties of Clarke, Skamania, Pacific, Cowlitz and Wahkiakum; one judge for the counties of Thurston, Chehalis, Mason and Lewis; one judge for the county of Pierce; one judge for the county of King; one judge for the counties of Jefferson, Island, Kitsap, San Juan and Clallam; and one judge for the counties of Whatcom, Skagit and Snohomish. In any county where there shall be more than one superior judge, there may be as many sessions of the superior court at the same time as there are judges thereof, and whenever the governor shall direct a superior judge to hold court in any county other than that for which he has been elected, there may be as many sessions of the superior court in said county at the same time as there are judges therein or assigned to duty therein by the governor, and the business of the court shall be so distributed and assigned by law or in the absence of legislation therefor, by such rules and orders of court as shall best promote and secure the convenient and expeditious transaction thereof. The judgments, decrees, orders and proceedings of any session of the superior court held by any one or more of the judges of such court shall be equally effectual as if all the judges of said court presided at such session. The first superior judges elected under this Constitution shall hold their offices for the period of three years, and until their successors shall be elected and qualified, and thereafter the term of office of all superior judges in this state shall be for four years from the second Monday in January next succeeding their election and until their successors are elected and qualified. The first election of judges of the superior court shall be at the election held for the adoption of this Constitution. If a vacancy occurs in the office of judge of the superior court, the governor shall appoint a person to hold the office until the election and qualification of a judge to fill the vacancy, which election shall be at the next succeeding general election, and the judge so elected shall hold office for the remainder of the unexpired term.

SECTION 6 JURISDICTION OF SUPERIOR COURTS. Superior courts and district courts have concurrent jurisdiction in cases in equity. The superior court shall have original jurisdiction in all cases at law which involve the title or possession of real property, or the legality of any tax, impost, assessment, toll, or municipal fine, and in all other cases in which the demand or the value of the property in controversy amounts to three thousand dollars or as otherwise determined by law, or a lesser sum in excess of the jurisdiction granted to justices of the peace and other inferior courts, and in all criminal cases amounting to felony, and in all cases of misdemeanor not otherwise provided for by law; of actions of forcible entry and detainer; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all matters of probate, of divorce, and for annulment of marriage; and for such special cases and proceedings as are not otherwise provided for. The superior court shall also have original jurisdiction in all cases and of all proceedings in which jurisdiction shall not have been by law vested exclusively in some other court; and said court shall have the power of naturalization and to issue papers therefor. They shall have such appellate jurisdiction in cases arising in justices' and other inferior courts in their respective counties as may be prescribed by law. They shall always be open, except on nonjudicial days, and their process shall extend to all parts of the state. Said courts and their judges shall have power to issue writs of mandamus, quo warranto, review, certiorari, prohibition, and writs of habeas corpus, on petition by or on behalf of any person in actual custody in their respective counties. Injunctions and writs of prohibition and of habeas corpus may be issued and served on legal holidays

and nonjudicial days. [AMENDMENT 87, 1993 House Joint Resolution No. 4201, p 3063. Approved November 2, 1993.]

SECTION 7 EXCHANGE OF JUDGES -- JUDGE PRO TEMPORE. The judge of any superior court may hold a superior court in any county at the request of the judge of the superior court thereof, and upon the request of the governor it shall be his or her duty to do so. A case in the superior court may be tried by a judge pro tempore either with the agreement of the parties if the judge pro tempore is a member of the bar, is agreed upon in writing by the parties litigant or their attorneys of record, and is approved by the court and sworn to try the case; or without the agreement of the parties if the judge pro tempore is a sitting elected judge and is acting as a judge pro tempore pursuant to supreme court rule. The supreme court rule must require assignments of judges pro tempore based on the judges' experience and must provide for the right, exercisable once during a case, to a change of judge pro tempore. Such right shall be in addition to any other right provided by law. However, if a previously elected judge of the superior court retires leaving a pending case in which the judge has made discretionary rulings, the judge is entitled to hear the pending case as a judge pro tempore without any written agreement. [AMENDMENT 94, 2001 Engrossed Senate Joint Resolution No. 8208, p 2327. Approved November 6, 2001.]

SECTION 8 ABSENCE OF JUDICIAL OFFICER. Any judicial officer who shall absent himself from the state for more than sixty consecutive days shall be deemed to have forfeited his office: *Provided*, That in cases of extreme necessity the governor may extend the leave of absence such time as the necessity therefor shall exist.

SECTION 9 REMOVAL OF JUDGES, ATTORNEY GENERAL, ETC. Any judge of any court of record, the attorney general, or any prosecuting attorney may be removed from office by joint resolution of the legislature, in which three-fourths of the members elected to each house shall concur, for incompetency, corruption, malfeasance, or delinquency in office, or other sufficient cause stated in such resolution. But no removal shall be made unless the officer complained of shall have been served with a copy of the charges against him as the ground of removal, and shall have an opportunity of being heard in his defense. Such resolution shall be entered at length on the journal of both houses and on the question of removal the ayes and nays shall also be entered on the journal.

SECTION 10 JUSTICES OF THE PEACE. The legislature shall determine the number of justices of the peace to be elected and shall prescribe by law the powers, duties and jurisdiction of justices of the peace: *Provided*, That such jurisdiction granted by the legislature shall not trench upon the jurisdiction of superior or other courts of record, except that justices of the peace may be made police justices of incorporated cities and towns. Justices of the peace shall have original jurisdiction in cases where the demand or value of the property in controversy is less than three hundred dollars or such greater sum, not to exceed three thousand dollars or as otherwise determined by law, as shall be prescribed by the legislature. In incorporated cities or towns having more than five thousand inhabitants, the justices of the peace shall receive such salary as may be provided by law, and shall receive no fees for their own use. [AMENDMENT 65, part, 1977 Senate Joint Resolution No. 113, p 1714. Approved November 8, 1977.]

SECTION 11 COURTS OF RECORD. The supreme court and the superior courts shall be courts of record, and the legislature shall have power to provide that any of the courts of this state, excepting justices of the peace, shall be courts of record.

SECTION 12 INFERIOR COURTS. The legislature shall prescribe by law the jurisdiction and powers of any of the inferior courts which may be established in pursuance of this Constitution.

SECTION 13 SALARIES OF JUDICIAL OFFICERS -- HOW PAID, ETC. No judicial officer, except court commissioners and unsalaried justices of the peace, shall receive to his own use any fees or perquisites of office. The judges of the supreme court and judges of the superior courts shall severally at stated times, during their continuance in office, receive for their services the salaries prescribed by law therefor, which shall not be increased after their election, nor during the term for which they shall have been elected. The salaries of the judges of the supreme court shall be paid by the state. One-half of the salary of each of the superior court judges shall be paid by the state, and the other one-half by the county or counties for which he is elected. In cases where a judge is provided for more than one county, that portion of his salary which is to be paid by the counties shall be apportioned between or among them according to the assessed value of their taxable property, to be determined by the assessment next preceding the time for which such salary is to be paid.

SECTION 14 SALARIES OF SUPREME AND SUPERIOR COURT JUDGES. Each of the judges of the supreme court shall receive an annual salary of four thousand dollars (\$4,000); each of the superior court judges shall receive an annual salary of three thousand dollars (\$3,000), which said salaries shall be payable quarterly. The legislature may increase the salaries of judges herein provided.

SECTION 15 INELIGIBILITY OF JUDGES. The judges of the supreme court and the judges of the superior court shall be ineligible to any other office or public employment than a judicial office, or employment, during the term for which they shall have been elected.

SECTION 16 CHARGING JURIES. Judges shall not charge juries with respect to matters of fact, nor comment thereon, but shall declare the law.

SECTION 17 ELIGIBILITY OF JUDGES. No person shall be eligible to the office of judge of the supreme court, or judge of a superior court, unless he shall have been admitted to practice in the courts of record of this state, or of the Territory of Washington.

SECTION 18 SUPREME COURT REPORTER. The judges of the supreme court shall appoint a reporter for the decisions of that court, who shall be removable at their pleasure. He shall receive such annual salary as shall be prescribed by law.

SECTION 19 JUDGES MAY NOT PRACTICE LAW. No judge of a court of record shall practice law in any court of this state during his continuance in office.

SECTION 20 DECISIONS, WHEN TO BE MADE. Every cause submitted to a judge of a superior court for his decision shall be decided by him within ninety days from the submission thereof; *Provided,*

That if within said period of ninety days a rehearing shall have been ordered, then the period within which he is to decide shall commence at the time the cause is submitted upon such a hearing.

SECTION 21 PUBLICATION OF OPINIONS. The legislature shall provide for the speedy publication of opinions of the supreme court, and all opinions shall be free for publication by any person.

SECTION 22 CLERK OF THE SUPREME COURT. The judges of the supreme court shall appoint a clerk of that court who shall be removable at their pleasure, but the legislature may provide for the election of the clerk of the supreme court, and prescribe the term of his office. The clerk of the supreme court shall receive such compensation by salary only as shall be provided by law.

SECTION 23 COURT COMMISSIONERS. There may be appointed in each county, by the judge of the superior court having jurisdiction therein, one or more court commissioners, not exceeding three in number, who shall have authority to perform like duties as a judge of the superior court at chambers, subject to revision by such judge, to take depositions and to perform such other business connected with the administration of justice as may be prescribed by law.

SECTION 24 RULES FOR SUPERIOR COURTS. The judges of the superior courts, shall from time to time, establish uniform rules for the government of the superior courts.

SECTION 25 REPORTS OF SUPERIOR COURT JUDGES. Superior judges, shall on or before the first day of November in each year, report in writing to the judges of the supreme court such defects and omissions in the laws as their experience may suggest, and the judges of the supreme court shall on or before the first day of January in each year report in writing to the governor such defects and omissions in the laws as they may believe to exist.

SECTION 26 CLERK OF THE SUPERIOR COURT. The county clerk shall be by virtue of his office, clerk of the superior court.

SECTION 27 STYLE OF PROCESS. The style of all process shall be, "The State of Washington," and all prosecutions shall be conducted in its name and by its authority.

SECTION 28 OATH OF JUDGES. Every judge of the supreme court, and every judge of a superior court shall, before entering upon the duties of his office, take and subscribe an oath that he will support the Constitution of the United States and the Constitution of the State of Washington, and will faithfully and impartially discharge the duties of judge to the best of his ability, which oath shall be filed in the office of the secretary of state.

SECTION 29 ELECTION OF SUPERIOR COURT JUDGES. Notwithstanding any provision of this Constitution to the contrary, if, after the last day as provided by law for the withdrawal of declarations of candidacy has expired, only one candidate has filed for any single position of superior court judge in any county containing a population of one hundred thousand or more, no primary or election shall be held as to such position, and a certificate of election shall be issued to such candidate. If, after any contested primary for superior court judge in any county, only one candidate is entitled to have his

name printed on the general election ballot for any single position, no election shall be held as to such position, and a certificate of election shall be issued to such candidate: *Provided*, That in the event that there is filed with the county auditor within ten days after the date of the primary, a petition indicating that a write in campaign will be conducted for such single position and signed by one hundred registered voters qualified to vote with respect of the office, then such single position shall be subject to the general election. Provisions for the contingency of the death or disqualification of a sole candidate between the last date for withdrawal and the time when the election would be held but for the provisions of this section, and such other provisions as may be deemed necessary to implement the provisions of this section, may be enacted by the legislature. [AMENDMENT 41, 1965 ex.s. Substitute Senate Joint Resolution No. 6, p 2815. Approved November 8, 1966.]

SECTION 30 COURT OF APPEALS. (1) Authorization. In addition to the courts authorized in section 1 of this article, judicial power is vested in a court of appeals, which shall be established by statute.

(2) Jurisdiction. The jurisdiction of the court of appeals shall be as provided by statute or by rules authorized by statute.

(3) Review of Superior Court. Superior court actions may be reviewed by the court of appeals or by the supreme court as provided by statute or by rule authorized by statute.

(4) Judges. The number, manner of election, compensation, terms of office, removal and retirement of judges of the court of appeals shall be as provided by statute.

(5) Administration and Procedure. The administration and procedures of the court of appeals shall be as provided by rules issued by the supreme court.

(6) Conflicts. The provisions of this section shall supersede any conflicting provisions in prior sections of this article. [AMENDMENT 50, 1967 Senate Joint Resolution No. 6; see 1969 p 2975. Approved November 5, 1968.]

SECTION 31 COMMISSION ON JUDICIAL CONDUCT. (1) There shall be a commission on judicial conduct, existing as an independent agency of the judicial branch, and consisting of a judge selected by and from the court of appeals judges, a judge selected by and from the superior court judges, a judge selected by and from the limited jurisdiction court judges, two persons admitted to the practice of law in this state selected by the state bar association, and six persons who are not attorneys appointed by the governor.

(2) Whenever the commission receives a complaint against a judge or justice, or otherwise has reason to believe that a judge or justice should be admonished, reprimanded, censured, suspended, removed, or retired, the commission shall first investigate the complaint or belief and then conduct initial proceedings for the purpose of determining whether probable cause exists for conducting a public hearing or hearings to deal with the complaint or belief. The investigation and initial proceedings shall be confidential. Upon beginning an initial proceeding, the commission shall notify the judge or justice of the existence of and basis for the initial proceeding.

(3) Whenever the commission concludes, based on an initial proceeding, that there is probable cause to believe that a judge or justice has violated a rule of judicial conduct or that the judge or justice suffers from a disability which is permanent or likely to become permanent and which seriously interferes with the performance of judicial duties, the commission shall conduct a public hearing or hearings and shall make public all those records of the initial proceeding that provide the basis for its conclusion. If the commission concludes that there is not probable cause, it shall notify the judge or justice of its conclusion.

(4) Upon the completion of the hearing or hearings, the commission in open session shall either dismiss the case, or shall admonish, reprimand, or censure the judge or justice, or shall censure the judge or justice and recommend to the supreme court the suspension or removal of the judge or justice, or shall recommend to the supreme court the retirement of the judge or justice. The commission may not recommend suspension or removal unless it censures the judge or justice for the violation serving as the basis for the recommendation. The commission may recommend retirement of a judge or justice for a disability which is permanent or likely to become permanent and which seriously interferes with the performance of judicial duties.

(5) Upon the recommendation of the commission, the supreme court may suspend, remove, or retire a judge or justice. The office of a judge or justice retired or removed by the supreme court becomes vacant, and that person is ineligible for judicial office until eligibility is reinstated by the supreme court. The salary of a removed judge or justice shall cease. The supreme court shall specify the effect upon salary when it suspends a judge or justice. The supreme court may not suspend, remove, or retire a judge or justice until the commission, after notice and hearing, recommends that action be taken, and the supreme court conducts a hearing, after notice, to review commission proceedings and findings against the judge or justice.

(6) Within thirty days after the commission admonishes, reprimands, or censures a judge or justice, the judge or justice shall have a right of appeal de novo to the supreme court.

(7) Any matter before the commission or supreme court may be disposed of by a stipulation entered into in a public proceeding. The stipulation shall be signed by the judge or justice and the commission or court. The stipulation may impose any terms and conditions deemed appropriate by the commission or court. A stipulation shall set forth all material facts relating to the proceeding and the conduct of the judge or justice.

(8) Whenever the commission adopts a recommendation that a judge or justice be removed, the judge or justice shall be suspended immediately, with salary, from his or her judicial position until a final determination is made by the supreme court.

(9) The legislature shall provide for commissioners' terms of office and compensation. The commission shall employ one or more investigative officers with appropriate professional training and experience. The investigative officers of the commission shall report directly to the commission. The commission shall also employ such administrative or other staff as are necessary to manage the affairs of the commission.

(10) The commission shall, to the extent that compliance does not conflict with this section, comply with laws of general applicability to state agencies with respect to rule-making procedures, and with respect to public notice of and attendance at commission proceedings other than initial proceedings. The commission shall establish rules of procedure for commission proceedings including due process and confidentiality of proceedings. [AMENDMENT 97, 2005 Senate Joint Resolution No. 8207, pp 2799, 2800. Approved November 8, 2005.]

ARTICLE VI - ELECTIONS AND ELECTIVE RIGHTS

SECTION 1 QUALIFICATIONS OF ELECTORS. All persons of the age of eighteen years or over who are citizens of the United States and who have lived in the state, county, and precinct thirty days immediately preceding the election at which they offer to vote, except those disqualified by Article VI, section 3 of this Constitution, shall be entitled to vote at all elections. [AMENDMENT 63, 1974 Senate Joint Resolution No. 143, p 807. Approved November 5, 1974.]

SECTION 1A VOTER QUALIFICATIONS FOR PRESIDENTIAL ELECTIONS. In consideration of those citizens of the United States who become residents of the state of Washington during the year of a presidential election with the intention of making this state their permanent residence, this section is for the purpose of authorizing such persons who can meet all qualifications for voting as set forth in section 1 of this article, except for residence, to vote for presidential electors or for the office of President and Vice-President of the United States, as the case may be, but no other: *Provided*, That such persons have resided in the state at least sixty days immediately preceding the presidential election concerned.

The legislature shall establish the time, manner and place for such persons to cast such presidential ballots. [AMENDMENT 46, 1965 ex.s. Substitute House Joint Resolution No. 4, p 2820. Approved November 8, 1966.]

SECTION 2 SCHOOL ELECTIONS -- FRANCHISE, HOW EXTENDED. [This section stricken by AMENDMENT 5, see Art. 6 Section 1.]

SECTION 3 WHO DISQUALIFIED. All persons convicted of infamous crime unless restored to their civil rights and all persons while they are judicially declared mentally incompetent are excluded from the elective franchise. [AMENDMENT 83, 1988 House Joint Resolution No. 4231, p 1553. Approved November 8, 1988.]

SECTION 4 RESIDENCE, CONTINGENCIES AFFECTING. For the purpose of voting and eligibility to office no person shall be deemed to have gained a residence by reason of his presence or lost it by reason of his absence, while in the civil or military service of the state or of the United States, nor while a student at any institution of learning, nor while kept at public expense at any poor-house or other

asylum, nor while confined in public prison, nor while engaged in the navigation of the waters of this state or of the United States, or of the high seas.

SECTION 5 VOTER -- WHEN PRIVILEGED FROM ARREST. Voters shall in all cases except treason, felony, and breach of the peace be privileged from arrest during their attendance at elections and in going to, and returning therefrom. No elector shall be required to do military duty on the day of any election except in time of war or public danger.

SECTION 6 BALLOT. All elections shall be by ballot. The legislature shall provide for such method of voting as will secure to every elector absolute secrecy in preparing and depositing his ballot.

SECTION 7 REGISTRATION. The legislature shall enact a registration law, and shall require a compliance with such law before any elector shall be allowed to vote; *Provided*, that this provision is not compulsory upon the legislature except as to cities and towns having a population of over five hundred inhabitants. In all other cases the legislature may or may not require registration as a pre-requisite to the right to vote, and the same system of registration need not be adopted for both classes.

SECTION 8 ELECTIONS, TIME OF HOLDING. The first election of county and district officers not otherwise provided for in this Constitution shall be on the Tuesday next after the first Monday in November 1890, and thereafter all elections for such officers shall be held bi-ennially on the Tuesday next succeeding the first Monday in November. The first election of all state officers not otherwise provided for in this Constitution, after the election held for the adoption of this Constitution, shall be on the Tuesday next after the first Monday in November, 1892, and the elections for such state officers shall be held in every fourth year thereafter on the Tuesday succeeding the first Monday in November.

ARTICLE VII - REVENUE AND TAXATION

SECTION 1 TAXATION. The power of taxation shall never be suspended, surrendered or contracted away. All taxes shall be uniform upon the same class of property within the territorial limits of the authority levying the tax and shall be levied and collected for public purposes only. The word "property" as used herein shall mean and include everything, whether tangible or intangible, subject to ownership. All real estate shall constitute one class: *Provided*, That the legislature may tax mines and mineral resources and lands devoted to reforestation by either a yield tax or an ad valorem tax at such rate as it may fix, or by both. Such property as the legislature may by general laws provide shall be exempt from taxation. Property of the United States and of the state, counties, school districts and other municipal corporations, and credits secured by property actually taxed in this state, not exceeding in value the value of such property, shall be exempt from taxation. The legislature shall have power, by appropriate legislation, to exempt personal property to the amount of fifteen thousand (\$15,000.00) dollars for each head of a family liable to assessment and taxation under the provisions of the laws of this state of which the individual is the actual bona fide owner. [AMENDMENT 98, 2006 House Joint Resolution No. 4223, p 2117. Approved November 7, 2006.]

SECTION 2 LIMITATION ON LEVIES. Except as hereinafter provided and notwithstanding any other provision of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed one percent of the true and fair value of such property in money. Nothing herein shall prevent levies at the rates now provided by law by or for any port or public utility district. The term "taxing district" for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy, or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only as follows:

(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the voters of the taxing district voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed initial levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of voters voting "yes" on the proposition shall constitute three-fifths of a number equal to forty percent of the total number of voters voting in such taxing district at the last preceding general election when the number of voters voting on the proposition does not exceed forty percent of the total number of voters voting in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the voters of the taxing district voting on the proposition to levy when the number of voters voting on the proposition exceeds forty percent of the number of voters voting in such taxing district in the last preceding general election. Notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection to levy additional tax for the support of the common schools or fire protection districts may provide such support for a period of up to four years and any proposition to levy an additional tax to support the construction, modernization, or remodelling of school facilities or fire facilities may provide such support for a period not exceeding six years. Notwithstanding any other provision of this subsection, a proposition under this subsection to levy an additional tax for a school district shall be authorized by a majority of the voters voting on the proposition, regardless of the number of voters voting on the proposition;

(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the voters of the taxing district voting on the proposition to issue such bonds and to pay the principal and interest thereon by annual tax levies in excess of the limitation herein provided during the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of voters voting on the proposition shall constitute not less than forty percent of the total number of voters voting in such taxing district at the last preceding general election. Any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein.

The provisions of this section shall also be subject to the limitations contained in Article VIII, Section 6, of this Constitution;

(c) By the state or any taxing district for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort. [AMENDMENT 101, 2007 Engrossed House Joint Resolution No. 4204, pp 3143-3145. Approved November 6, 2007.]

SECTION 3 TAXATION OF FEDERAL AGENCIES AND PROPERTY. The United States and its agencies and instrumentalities, and their property, may be taxed under any of the tax laws of this state, whenever and in such manner as such taxation may be authorized or permitted under the laws of the United States, notwithstanding anything to the contrary in the Constitution of this state. [AMENDMENT 19, 1945 House Joint Resolution No. 9, p 932. Approved November, 1946.]

SECTION 4 NO SURRENDER OF POWER OR SUSPENSION OF TAX ON CORPORATE PROPERTY. Reviser's note: Original section 4 was stricken by Amendment 14. It is set out following Art. 7 Section 1, above.

SECTION 5 TAXES, HOW LEVIED. No tax shall be levied except in pursuance of law; and every law imposing a tax shall state distinctly the object of the same to which only it shall be applied.

SECTION 6 TAXES, HOW PAID. All taxes levied and collected for state purposes shall be paid in money only into the state treasury.

SECTION 7 ANNUAL STATEMENT. An accurate statement of the receipts and expenditures of the public moneys shall be published annually in such manner as the legislature may provide.

SECTION 8 TAX TO COVER DEFICIENCIES. Whenever the expenses of any fiscal year shall exceed the income, the legislature may provide for levying a tax for the ensuing fiscal year, sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of the ensuing fiscal year.

SECTION 9 SPECIAL ASSESSMENTS OR TAXATION FOR LOCAL IMPROVEMENTS. The legislature may vest the corporate authorities of cities, towns and villages with power to make local improvements by special assessment, or by special taxation of property benefited. For all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes and such taxes shall be uniform in respect to persons and property within the jurisdiction of the body levying the same.

SECTION 10 RETIRED PERSONS PROPERTY TAX EXEMPTION. Notwithstanding the provisions of Article 7, section 1 (Amendment 14) and Article 7, section 2 (Amendment 17), the following tax exemption shall be allowed as to real property:

The legislature shall have the power, by appropriate legislation, to grant to retired property owners relief from the property tax on the real property occupied as a residence by those owners. The legislature may place such restrictions and conditions upon the granting of such relief as it shall deem proper. Such restrictions and conditions may include, but are not limited to, the limiting of the relief to those property owners below a specific level of income and those fulfilling certain minimum residential requirements. [AMENDMENT 47, 1965 ex.s. House Joint Resolution No. 7, p 2821. Approved November 8, 1966.]

SECTION 11 TAXATION BASED ON ACTUAL USE. Nothing in this Article VII as amended shall prevent the legislature from providing, subject to such conditions as it may enact, that the true and fair value in money (a) of farms, agricultural lands, standing timber and timberlands, and (b) of other open space lands which are used for recreation or for enjoyment of their scenic or natural beauty shall be based on the use to which such property is currently applied, and such values shall be used in computing the assessed valuation of such property in the same manner as the assessed valuation is computed for all property. [AMENDMENT 53, 1967 House Joint Resolution No. 1; see 1969 p 2976. Approved November 5, 1968.]

SECTION 12 BUDGET STABILIZATION ACCOUNT. (Effective July 1, 2008.) (a) A budget stabilization account shall be established and maintained in the state treasury.

(b) By June 30th of each fiscal year, an amount equal to one percent of the general state revenues for that fiscal year shall be transferred to the budget stabilization account. Nothing in this subsection (b) shall prevent the appropriation of additional amounts to the budget stabilization account.

(c) Each fiscal quarter, the state economic and revenue forecast council appointed and authorized as provided by statute, or successor entity, shall estimate state employment growth for the current and next two fiscal years.

(d) Moneys may be withdrawn and appropriated from the budget stabilization account as follows:

(i) If the governor declares a state of emergency resulting from a catastrophic event that necessitates government action to protect life or public safety, then for that fiscal year moneys may be withdrawn and appropriated from the budget stabilization account, via separate legislation setting forth the nature of the emergency and containing an appropriation limited to the above-authorized purposes as contained in the declaration, by a favorable vote of a majority of the members elected to each house of the legislature.

(ii) If the employment growth forecast for any fiscal year is estimated to be less than one percent, then for that fiscal year moneys may be withdrawn and appropriated from the budget stabilization account by the favorable vote of a majority of the members elected to each house of the legislature.

(iii) Any amount may be withdrawn and appropriated from the budget stabilization account at any time by the favorable vote of at least three-fifths of the members of each house of the legislature.

(e) Amounts in the budget stabilization account may be invested as provided by law and retained in that account. When the balance in the budget stabilization account, including investment earnings, equals more than ten percent of the estimated general state revenues in that fiscal year, the legislature by the favorable vote of a majority of the members elected to each house of the legislature may withdraw and appropriate the balance to the extent that the balance exceeds ten percent of the estimated general state revenues. Appropriations under this subsection (e) may be made solely for deposit to the education construction fund.

(f) As used in this section, "general state revenues" has the meaning set forth in Article VIII, section 1 of the Constitution. Forecasts and estimates shall be made by the state economic and revenue forecast council appointed and authorized as provided by statute, or successor entity.

(g) The legislature shall enact appropriate laws to carry out the purposes of this section.

(h) This section takes effect July 1, 2008. [AMENDMENT 99, 2007 Engrossed Substitute Senate Joint Resolution No. 8206, pp 3146, 3147. Approved November 6, 2007.]

ARTICLE XI - COUNTY, CITY, AND TOWNSHIP ORGANIZATION

SECTION 1 EXISTING COUNTIES RECOGNIZED. The several counties of the Territory of Washington existing at the time of the adoption of this Constitution are hereby recognized as legal subdivisions of this state.

SECTION 2 COUNTY SEATS -- LOCATION AND REMOVAL. No county seat shall be removed unless three-fifths of the qualified electors of the county, voting on the proposition at a general election shall vote in favor of such removal, and three-fifths of all votes cast on the proposition shall be required to relocate a county seat. A proposition of removal shall not be submitted in the same county more than once in four years.

SECTION 3 NEW COUNTIES. No new counties shall be established which shall reduce any county to a population less than four thousand (4,000), nor shall a new county be formed containing a less population than two thousand (2,000). There shall be no territory stricken from any county unless a majority of the voters living in such territory shall petition therefor and then only under such other conditions as may be prescribed by a general law applicable to the whole state. Every county which shall be enlarged or created from territory taken from any other county or counties shall be liable for a just proportion of the existing debts and liabilities of the county or counties from which such territory shall be taken: *Provided*, That in such accounting neither county shall be charged with any debt or liability then existing incurred in the purchase of any county property, or in the purchase or construction of any county buildings then in use, or under construction, which shall fall within and be retained by the county: *Provided further*, That this shall not be construed to affect the rights of creditors.

SECTION 4 COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION. The legislature shall establish a system of county government, which shall be uniform throughout the state except as hereinafter provided, and by general laws shall provide for township organization, under which any county may organize whenever a majority of the qualified electors of such county voting at a general election shall so determine; and whenever a county shall adopt township organization, the assessment and collection of the revenue shall be made, and the business of such county and the local affairs of the several townships therein, shall be managed and transacted in the manner prescribed by such general law.

Any county may frame a "Home Rule" charter for its own government subject to the Constitution and laws of this state, and for such purpose the legislative authority of such county may cause an election to be had, at which election there shall be chosen by the qualified voters of said county not less than fifteen (15) nor more than twenty-five (25) freeholders thereof, as determined by the legislative authority, who shall have been residents of said county for a period of at least five (5) years preceding their election and who are themselves qualified electors, whose duty it shall be to convene within thirty (30) days after their election and prepare and propose a charter for such county. Such proposed charter shall be submitted to the qualified electors of said county, and if a majority of such qualified electors voting thereon ratify the same, it shall become the charter of said county and shall become the organic law thereof, and supersede any existing charter, including amendments thereto, or any existing form of county government, and all special laws inconsistent with such charter. Said proposed charter shall be published in two (2) legal newspapers published in said county, at least once a week for four (4) consecutive weeks prior to the day of submitting the same to the electors for their approval as above provided. All elections in this section authorized shall only be had upon notice, which notice shall specify the object of calling such election and shall be given for at least ten (10) days before the day of election in all election districts of said county. Said elections may be general or special elections and except as herein provided, shall be governed by the law regulating and controlling general or special elections in said county. Such charter may be amended by proposals therefor submitted by the legislative authority of said county to the electors thereof at any general election after notice of such submission published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter or amendment thereto, any alternate article or proposition may be presented for the choice of the voters and may be voted on separately without prejudice to others.

Any home rule charter proposed as herein provided, may provide for such county officers as may be deemed necessary to carry out and perform all county functions as provided by charter or by general law, and for their compensation, but shall not affect the election of the prosecuting attorney, the county superintendent of schools, the judges of the superior court, and the justices of the peace, or the jurisdiction of the courts.

Notwithstanding the foregoing provision for the calling of an election by the legislative authority of such county for the election of freeholders to frame a county charter, registered voters equal in number to ten (10) per centum of the voters of any such county voting at the last preceding general election, may at any time propose by petition the calling of an election of freeholders. The petition shall be filed with the county auditor of the county at least three (3) months before any general election and the proposal that a board of freeholders be elected for the purpose of framing a county charter shall be submitted to the vote of the people at said general election, and at the same election a board of freeholders of not less than fifteen (15) or more than twenty-five (25), as fixed in the petition calling for the election, shall be chosen to draft the new charter. The procedure for the nomination of qualified electors as candidates for said board of freeholders shall be prescribed by the legislative authority of the county, and the procedure for the framing of the charter and the submission of the charter as framed shall be the same as in the case of a board of freeholders chosen at an election initiated by the legislative authority of the county.

In calling for any election of freeholders as provided in this section, the legislative authority of the county shall apportion the number of freeholders to be elected in accordance with either the legislative districts or the county commissioner districts, if any, within said county, the number of said freeholders to be elected from each of said districts to be in proportion to the population of said districts as nearly as may be.

Should the charter proposed receive the affirmative vote of the majority of the electors voting thereon, the legislative authority of the county shall immediately call such special election as may be provided for therein, if any, and the county government shall be established in accordance with the terms of said charter not more than six (6) months after the election at which the charter was adopted.

The terms of all elective officers, except the prosecuting attorney, the county superintendent of schools, the judges of the superior court, and the justices of the peace, who are in office at the time of the adoption of a Home Rule Charter shall terminate as provided in the charter. All appointive officers in office at the time the charter goes into effect, whose positions are not abolished thereby, shall continue until their successors shall have qualified.

After the adoption of such charter, such county shall continue to have all the rights, powers, privileges and benefits then possessed or thereafter conferred by general law. All the powers, authority and duties granted to and imposed on county officers by general law, except the prosecuting attorney, the county superintendent of schools, the judges of the superior court and the justices of the peace, shall be vested in the legislative authority of the county unless expressly vested in specific officers by the charter. The legislative authority may by resolution delegate any of its executive or administrative powers, authority or duties not expressly vested in specific officers by the charter, to any county officer or officers or county employee or employees.

The provisions of sections 5, 6, 7, and the first sentence of section 8 of this Article as amended shall not apply to counties in which the government has been established by charter adopted under the provisions hereof. The authority conferred on the board of county commissioners by Section 15 of Article II as amended, shall be exercised by the legislative authority of the county. [AMENDMENT 21, 1947 Senate Joint Resolution No. 5, p 1372. Approved November 2, 1948.]

SECTION 5 COUNTY GOVERNMENT. The legislature, by general and uniform laws, shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys and other county, township or precinct and district officers, as public convenience may require, and shall prescribe their duties, and fix their terms of office: *Provided*, That the legislature may, by general laws, classify the counties by population and provide for the election in certain classes of counties certain officers who shall exercise the powers and perform the duties of two or more officers. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify the counties by population: *Provided*, That it may delegate to the legislative authority of the counties the right to prescribe the salaries of its own members and the salaries of other county officers. And it shall provide for the strict accountability of such officers for all fees which may be collected by them and for all public moneys which may be paid to them, or officially come into their possession. [AMENDMENT 57, part, 1971 Senate Joint Resolution No. 38, part, p 1829. Approved November, 1972.]

SECTION 6 VACANCIES IN TOWNSHIP, PRECINCT OR ROAD DISTRICT OFFICE. The board of county commissioners in each county shall fill all vacancies occurring in any township, precinct or road district office of such county by appointment, and officers thus appointed shall hold office till the next general election, and until their successors are elected and qualified. [AMENDMENT 52, part, 1967 Senate Joint Resolution No. 24, part. Approved November 5, 1968.]

SECTION 7 TENURE OF OFFICE LIMITED TO TWO TERMS. [Repealed by **AMENDMENT 22**, 1947 House Joint Resolution No. 4, p 1385. Approved November 2, 1948.]

SECTION 8 SALARIES AND LIMITATIONS AFFECTING. The salary of any county, city, town, or municipal officers shall not be increased except as provided in section 1 of Article XXX or diminished after his election, or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed. [AMENDMENT 57, art, 1971 Senate Joint Resolution No. 38, part, p 1829. Approved November, 1972.]

SECTION 9 STATE TAXES NOT TO BE RELEASED OR COMMUTED. No county, nor the inhabitants thereof, nor the property therein, shall be released or discharged from its or their proportionate share of taxes to be levied for state purposes, nor shall commutation for such taxes be authorized in any form whatever.

SECTION 10 INCORPORATION OF MUNICIPALITIES. Corporations for municipal purposes shall not be created by special laws; but the legislature, by general laws, shall provide for the incorporation, organization and classification in proportion to population, of cities and towns, which laws may be altered, amended or repealed. Cities and towns heretofore organized, or incorporated may become organized under such general laws whenever a majority of the electors voting at a general election, shall so determine, and shall organize in conformity therewith; and cities or towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority of this Constitution shall be subject to and controlled by general laws. Any city containing a population of ten thousand inhabitants, or more, shall be permitted to frame a charter for its own government, consistent with and subject to the Constitution and laws of this state, and for such purpose the legislative authority of such city may cause an election to be had at which election there shall be chosen by the qualified electors of said city, fifteen freeholders thereof, who shall have been residents of said city for a period of at least two years preceding their election and qualified electors, whose duty it shall be to convene within ten days after their election, and prepare and propose a charter for such city. Such proposed charter shall be submitted to the qualified electors of said city, and if a majority of such qualified electors voting thereon ratify the same, it shall become the charter of said city, and shall become the organic law thereof, and supersede any existing charter including amendments thereto, and all special laws inconsistent with such charter. Said proposed charter shall be published in the daily newspaper of largest general circulation published in the area to be incorporated as a first class city under the charter or, if no daily newspaper is published therein, then in the newspaper having the largest general circulation within such area at least once each week for four weeks next preceding the day of submitting the same to the electors for their approval, as above provided. All elections in this section authorized shall only be had

upon notice, which notice shall specify the object of calling such election, and shall be given as required by law. Said elections may be general or special elections, and except as herein provided shall be governed by the law regulating and controlling general or special elections in said city. Such charter may be amended by proposals therefor submitted by the legislative authority of such city to the electors thereof at any general election after notice of said submission published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter, or amendment thereto, any alternate article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others. [AMENDMENT 40, 1963 ex.s. Senate Joint Resolution No. 1, p 1526. Approved November 3, 1964.]

SECTION 11 POLICE AND SANITARY REGULATIONS. Any county, city, town or township may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws.

SECTION 12 ASSESSMENT AND COLLECTION OF TAXES IN MUNICIPALITIES. The legislature shall have no power to impose taxes upon counties, cities, towns or other municipal corporations, or upon the inhabitants or property thereof, for county, city, town, or other municipal purposes, but may, by general laws, vest in the corporate authorities thereof, the power to assess and collect taxes for such purposes.

SECTION 13 PRIVATE PROPERTY, WHEN MAY BE TAKEN FOR PUBLIC DEBT. Private property shall not be taken or sold for the payment of the corporate debt of any public or municipal corporation, except in the mode provided by law for the levy and collection of taxes.

SECTION 14 PRIVATE USE OF PUBLIC FUNDS PROHIBITED. The making of profit out of county, city, town, or other public money, or using the same for any purpose not authorized by law, by any officer having the possession or control thereof, shall be a felony, and shall be prosecuted and punished as prescribed by law.

SECTION 15 DEPOSIT OF PUBLIC FUNDS. All moneys, assessments and taxes belonging to or collected for the use of any county, city, town or other public or municipal corporation, coming into the hands of any officer thereof, shall immediately be deposited with the treasurer, or other legal depository to the credit of such city, town, or other corporation respectively, for the benefit of the funds to which they belong.

SECTION 16 COMBINED CITY-COUNTY. Any county may frame a "Home Rule" charter subject to the Constitution and laws of this state to provide for the formation and government of combined city and county municipal corporations, each of which shall be known as "city-county". Registered voters equal in number to ten (10) percent of the voters of any such county voting at the last preceding general election may at any time propose by a petition the calling of an election of freeholders. The provisions of section 4 of this Article with respect to a petition calling for an election of freeholders to frame a county home rule charter, the election of freeholders, and the framing and adoption of a county home rule charter pursuant to such petition shall apply to a petition proposed under this section for the election of freeholders to frame a city-county charter, the election of freeholders, and to the framing and adoption of such city-county charter pursuant to such petition. Except as otherwise provided in this section, the provisions of section 4 applicable to a county home rule charter shall apply to a city-county

charter. If there are not sufficient legal newspapers published in the county to meet the requirements for publication of a proposed charter under section 4 of this Article, publication in a legal newspaper circulated in the county may be substituted for publication in a legal newspaper published in the county. No such "city-county" shall be formed except by a majority vote of the qualified electors voting thereon in the county. The charter shall designate the respective officers of such city-county who shall perform the duties imposed by law upon county officers. Every such city-county shall have and enjoy all rights, powers and privileges asserted in its charter, and in addition thereto, such rights, powers and privileges as may be granted to it, or to any city or county or class or classes of cities and counties. In the event of a conflict in the constitutional provisions applying to cities and those applying to counties or of a conflict in the general laws applying to cities and those applying to counties, a city-county shall be authorized to exercise any powers that are granted to either the cities or the counties.

No legislative enactment which is a prohibition or restriction shall apply to the rights, powers and privileges of a city-county unless such prohibition or restriction shall apply equally to every other city, county, and city-county.

The provisions of sections 2, 3, 5, 6, and 8 and of the first paragraph of section 4 of this article shall not apply to any such city-county.

Municipal corporations may be retained or otherwise provided for within the city-county. The formation, powers and duties of such municipal corporations shall be prescribed by the charter.

No city-county shall for any purpose become indebted in any manner to an amount exceeding three per centum of the taxable property in such city-county without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed ten per centum of the value of the taxable property therein, to be ascertained by the last assessment for city-county purposes previous to the incurring of such indebtedness: *Provided*, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly city-county or other municipal purposes: *Provided further*, That any city-county, with such assent may be allowed to become indebted to a larger amount, but not exceeding five per centum additional for supplying such city-county with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the city-county.

No municipal corporation which is retained or otherwise provided for within the city-county shall for any purpose become indebted in any manner to an amount exceeding one and one-half per centum of the taxable property in such municipal corporation without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor shall the total indebtedness at any time exceed five per centum of the value of the taxable property therein, to be ascertained by the last assessment for city-county purposes previous to the incurring of such indebtedness: *Provided*, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly municipal purposes: *Provided further*, That any such municipal corporation, with such assent, may be allowed to become indebted to a larger amount, but not exceeding five per centum additional for supplying such municipal corporation with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipal corporation. All

taxes which are levied and collected within a municipal corporation for a specific purpose shall be expended within that municipal corporation.

The authority conferred on the city-county government shall not be restricted by the second sentence of Article 7, section 1, or by Article 8, section 6 of this Constitution. [AMENDMENT 58, 1971 House Joint Resolution No. 21, p 1831. Approved November, 1972.]

ARTICLE XXIII - AMENDMENTS

SECTION 1 HOW MADE. Any amendment or amendments to this Constitution may be proposed in either branch of the legislature; and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the ayes and noes thereon, and be submitted to the qualified electors of the state for their approval, at the next general election; and if the people approve and ratify such amendment or amendments, by a majority of the electors voting thereon, the same shall become part of this Constitution, and proclamation thereof shall be made by the governor: *Provided*, That if more than one amendment be submitted, they shall be submitted in such a manner that the people may vote for or against such amendments separately. The legislature shall also cause notice of the amendments that are to be submitted to the people to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state: *Provided*, That failure of any newspaper to publish this notice shall not be interpreted as affecting the outcome of the election. [AMENDMENT 37, 1961 Senate Joint Resolution No. 25, p 2753. Approved November, 1962.]

SECTION 2 CONSTITUTIONAL CONVENTIONS. Whenever two-thirds of the members elected to each branch of the legislature shall deem it necessary to call a convention to revise or amend this Constitution, they shall recommend to the electors to vote at the next general election, for or against a convention, and if a majority of all the electors voting at said election shall have voted for a convention, the legislature shall at the next session, provide by law for calling the same; and such convention shall consist of a number of members, not less than that of the most numerous branch of the legislature.

SECTION 3 SUBMISSION TO THE PEOPLE. Any Constitution adopted by such convention shall have no validity until it has been submitted to and adopted by the people.