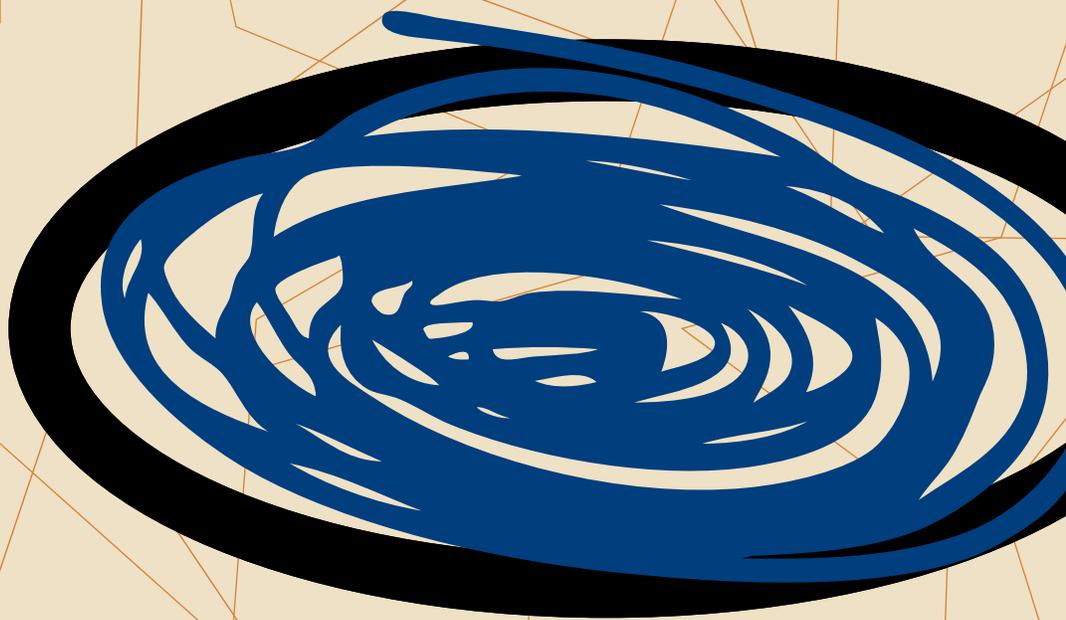


# Voter Intent

## Statewide Standards on What is a Vote

June 2009



*Washington*  
**Secretary of State**  
SAM REED



*Washington*  
**Secretary of State**  
SAM REED

In recent years, the impact of each vote has been repeatedly proven in close elections, such as the 2000 Presidential election in Florida, and the 2004 Governor's race in Washington. Determining the intent of the voter is an extremely important part of the canvassing process, and becomes even more critical in close elections.

The United States Supreme Court observed in *Bush v. Gore*, 531 U.S. 98 (2000), that Florida's lack of standards for determining voter intent led to arbitrary evaluation of the ballots, and therefore arbitrary counting of votes in the Presidential recounts. The Court concluded that these circumstances violated the Equal Protection Clause of the U.S. Constitution. In response to the 2000 Presidential election, Congress passed the Help America Vote Act in 2002. The Help America Vote Act mandated in 42 U.S.C. § 15481(a)(6) that states adopt uniform standards that define what constitutes a vote and what will be counted as a vote for each voting system in the state. These standards are necessary to ensure consistency across the state and prevent equal protection violations.

The state of Washington makes every effort to count each valid vote. Being a voter intent state, voters are not disenfranchised merely because they marked a ballot differently than directed. When voter intent can be discerned, votes will be counted.

Pursuant to *Bush v. Gore* and the Help America Vote Act, the Certification and Training Program within the Elections Division worked with the County Auditors and County Canvassing Boards to develop statewide standards for determining voter intent. Every County Auditor and every County Canvassing Board had the opportunity to contribute and provide input into the development of these rules, which are codified in WAC 434-261-086. The standards supplement existing statutes and administrative rule.

This publication illustrates the standards in pictorial examples of voted ballots and how they should be interpreted by County Canvassing Boards. All three types of optical scan and digital scan ballots currently in use in Washington are represented.

No publication could address all of the circumstances that can arise in canvassing an election. In the event a situation arises that is not addressed in state law, administrative rule, or this publication, the authority to determine voter intent rests with the County Canvassing Board.

Regardless of our individual perspectives, we all share the same goal of accurate and fair elections. This publication will be one of many tools we employ to achieve this goal.

Sam Reed  
*Secretary of State*

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## Rule A

### **Target Area**

Any marks made in the target area shall be counted as valid votes, with the exceptions below.

Any marks made outside of the target area shall be valid only if they fulfill the consistent pattern requirements of Rule B.

Marks that trace or outline the target area are not valid votes unless they fulfill the consistent pattern requirements of 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		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.			
<b>State Representative District 14, Position #1</b>		<b>State Representative District 14, Position #2</b>	
<input type="checkbox"/> Teddy Roosevelt		<input checked="" type="checkbox"/> Dolley Payne Madison	
<input checked="" 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	
_____		_____	
<b>Englewood Fire District Commissioner</b>		<b>Water District 12 Commissioner</b>	
<input checked="" type="checkbox"/> Wing Luke		<input type="checkbox"/> James Monroe	
<input type="checkbox"/> Thurgood Marshall		<input checked="" type="checkbox"/> Frida Kahlo	
<input type="checkbox"/> Sacagawea		<input type="checkbox"/> Clara Barton	
<input type="checkbox"/> Write-in		<input type="checkbox"/> 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		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.			
<b>State Representative District 14, Position #1</b>		<b>State Representative District 14, Position #2</b>	
<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	
<b>Englewood Fire District Commissioner</b>		<b>Water District 12 Commissioner</b>	
<input type="checkbox"/> Wing Luke		<input type="checkbox"/> James Monroe	
<input checked="" type="checkbox"/> Thurgood Marshall		<input type="checkbox"/> Frida Kahlo	
<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		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<p><b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: </p> <p><b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del>                  You then have the option of making another choice if you wish.</p>			
<b>State Representative                  District 14, Position #1</b>		<b>State Representative                  District 14, Position #2</b>	
Teddy Roosevelt		Dolley Payne Madison	
Abigail S. Adams		Rosa Parks	
William Henry Harrison		Dwight D. Eisenhower	
Write-in		Write-in	
<b>Englewood Fire District                  Commissioner</b>		<b>Water District 12                  Commissioner</b>	
Wing Luke		James Monroe	
Thurgood Marshall		Frida Kahlo	
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 consistent pattern requirements of Rule B, so they are not valid votes.

Sample Precinct Ballot Code 4 Leg District 14		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.			
<b>State Representative District 14, Position #1</b>		<b>State Representative District 14, Position #2</b>	
<input checked="" 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	
<b>Englewood Fire District Commissioner</b>		<b>Water District 12 Commissioner</b>	
<input type="checkbox"/> Wing Luke		<input type="checkbox"/> James Monroe	
<input checked="" type="checkbox"/> Thurgood Marshall		<input type="checkbox"/> Frida Kahlo	
<input type="checkbox"/> Sacagawea		<input checked="" type="checkbox"/> Clara Barton	
<input type="checkbox"/> Write-in		<input type="checkbox"/> 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 consistent pattern requirements of Rule B, so they are not valid votes.

Sample Precinct Ballot Code 4 Leg District 14		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.			
<b>State Representative District 14, Position #1</b>		<b>State Representative District 14, Position #2</b>	
<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	
<b>Englewood Fire District Commissioner</b>		<b>Water District 12 Commissioner</b>	
<input type="checkbox"/> Wing Luke		<input type="checkbox"/> James Monroe	
<input checked="" type="checkbox"/> Thurgood Marshall		<input type="checkbox"/> Frida Kahlo	
<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 are made outside of the target area and do not fulfill the consistent pattern requirements of Rule B, so they are not valid votes.

Sample Precinct Ballot Code 4 Leg District 14		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<p><b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: ←■</p> <p><b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del>          You then have the option of making another choice if you wish.</p>			
<b>State Representative          District 14, Position #1</b>		<b>State Representative          District 14, Position #2</b>	
Teddy Roosevelt	←■	Dolley Payne Madison	←■
Abigail S. Adams	←■	Rosa Parks	←■
William Henry Harrison	←■	Dwight D. Eisenhower	←■
Write-in	←■	Write-in	←■
<b>Englewood Fire District          Commissioner</b>		<b>Water District 12          Commissioner</b>	
Wing Luke	←■	James Monroe	←■
Thurgood Marshall	←■	Frida Kahlo	←■
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 of the marks are in the target area and are valid votes.

Sample Precinct Ballot Code 4 Leg District 14		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.			
<b>State Representative District 14, Position #1</b>		<b>State Representative District 14, Position #2</b>	
<input type="checkbox"/> Teddy Roosevelt		<input type="checkbox"/> Dolley Payne Madison	
<input type="checkbox"/> Abigail S. Adams		<input type="checkbox"/> Rosa Parks	
<input checked="" type="checkbox"/> William Henry Harrison		<input checked="" type="checkbox"/> Dwight D. Eisenhower	
<input type="checkbox"/> Write-in		<input type="checkbox"/> Write-in	
_____		_____	
<b>Englewood Fire District Commissioner</b>		<b>Water District 12 Commissioner</b>	
<input type="checkbox"/> Wing Luke		<input type="checkbox"/> James Monroe	
<input type="checkbox"/> Thurgood Marshall		<input type="checkbox"/> Frida Kahlo	
<input checked="" type="checkbox"/> Sacagawea		<input checked="" type="checkbox"/> Clara Barton	
<input type="checkbox"/> Write-in		<input type="checkbox"/> 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 of the marks are in the target area and are valid votes.

Sample Precinct Ballot Code 4 Leg District 14		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.			
<b>State Representative District 14, Position #1</b>		<b>State Representative District 14, Position #2</b>	
<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	
_____		_____	
<b>Englewood Fire District Commissioner</b>		<b>Water District 12 Commissioner</b>	
<input checked="" type="checkbox"/> Wing Luke		<input checked="" type="checkbox"/> James Monroe	
<input type="checkbox"/> Thurgood Marshall		<input type="checkbox"/> Frida Kahlo	
<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 of the marks are in the target area and are valid votes.

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

4a

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

4b

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

4c

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

**Target Area**

Rule A, Example 4a-c

Rule A, Exception 1

Obvious Stray Marks

---

## Rule A, Exception 1, Example 1a

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

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

Sample Precinct Ballot Code 4 Leg District 14		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.			
<b>State Representative District 14, Position #1</b>		<b>State Representative District 14, Position #2</b>	
<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	
<b>Englewood Fire District Commissioner</b>		<b>Water District 12 Commissioner</b>	
<input type="checkbox"/> Wing Luke		<input type="checkbox"/> James Monroe	
<input type="checkbox"/> Thurgood Marshall		<input type="checkbox"/> Frida Kahlo	
<input checked="" type="checkbox"/> Sacagawea		<input type="checkbox"/> Clara Barton	
<input type="checkbox"/> Write-in		<input type="checkbox"/> Write-in	

## Rule A, Exception 1, Example 1b

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

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

Sample Precinct Ballot Code 4 Leg District 14		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.			
<b>State Representative District 14, Position #1</b>		<b>State Representative District 14, Position #2</b>	
<input type="checkbox"/> Teddy Roosevelt		<input checked="" type="checkbox"/> Dolley Payne Madison	
<input checked="" 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	
<b>Englewood Fire District Commissioner</b>		<b>Water District 12 Commissioner</b>	
<input type="checkbox"/> Wing Luke		<input type="checkbox"/> James Monroe	
<input type="checkbox"/> Thurgood Marshall		<input checked="" type="checkbox"/> Frida Kahlo	
<input type="checkbox"/> Sacagawea		<input type="checkbox"/> Clara Barton	
<input type="checkbox"/> Write-in		<input type="checkbox"/> Write-in	

## Rule A, Exception 1, Example 1c

The mark in 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 be counted. The vote for James Monroe is a valid vote.

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

---

## Rule A, Exception 1, Examples 2a-c

No marks are valid votes.

In the following examples, the voter has stricken a candidate's name and it extends into the target area. These are stray marks and will not be counted as valid votes.

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, the marks in the target area of Abigail S. Adams are hesitation marks, and will not be counted as valid votes. The races are therefore not overvoted and will count as valid votes for Roosevelt.

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 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		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.			
<b>State Representative District 14, Position #1</b>		<b>State Representative District 14, Position #2</b>	
<input type="checkbox"/> Teddy Roosevelt	<i>This election is a sham!</i>	<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	
<b>Englewood Fire District Commissioner</b>		<b>Water District 12 Commissioner</b>	
<input type="checkbox"/> Wing Luke	<i>I vote for me!</i>	<input type="checkbox"/> James Monroe	
<input type="checkbox"/> Thurgood Marshall		<input type="checkbox"/> Frida Kahlo	
<input type="checkbox"/> Sacagawea		<input type="checkbox"/> Clara Barton	
<input type="checkbox"/> Write-in		<input type="checkbox"/> 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 and will not count as valid votes.

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

# Rule A, Exception 3, Example 1c

No marks are valid votes.

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

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

### **Consistent Pattern**

Marks made outside of the target area shall only be counted as valid votes if a consistent pattern of marks is used throughout the whole ballot. This means that all races and issues for which the voter has indicated a choice must have the same mark.

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

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

## Rule B, Example 1a

All choices marked are valid votes.

While all marks are outside the target area, the marks are in a consistent pattern and therefore will be counted as valid votes.

Sample Precinct Ballot Code 4 Leg District 14		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.			
<b>State Representative District 14, Position #1</b>		<b>State Representative District 14, Position #2</b>	
<input checked="" 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 checked="" type="checkbox"/> Dwight D. Eisenhower	
<input type="checkbox"/> Write-in		<input type="checkbox"/> Write-in	
_____		_____	
<b>Englewood Fire District Commissioner</b>		<b>Water District 12 Commissioner</b>	
<input checked="" type="checkbox"/> Wing Luke		<input type="checkbox"/> James Monroe	
<input type="checkbox"/> Thurgood Marshall		<input checked="" type="checkbox"/> Frida Kahlo	
<input type="checkbox"/> Sacagawea		<input type="checkbox"/> Clara Barton	
<input type="checkbox"/> Write-in		<input type="checkbox"/> Write-in	
_____		_____	

## Rule B, Example 1b

All choices marked are valid votes.

While all marks are outside the target area, the marks are in a consistent pattern and therefore will be counted as valid votes.

Sample Precinct Ballot Code 4 Leg District 14		<b>Official Ballot - Sample County, WA</b> <b>General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.			
<b>State Representative District 14, Position #1</b>		<b>State Representative District 14, Position #2</b>	
<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	
<b>County Commissioner District 2</b>		<b>County Treasurer District 1</b>	
<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"/> Frida Kahlo (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 1c

All choices marked are valid votes.

While all marks are outside the target area, the marks are in a consistent pattern and therefore will be counted as valid votes.

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

## Rule B, Example 2a

All choices marked are valid votes.

In this example, the voter has made the same mark throughout the ballot, some of which are outside of the target area. Because all of the marks are the same **type** for every race, all votes on this ballot shall be counted as valid.

Sample Precinct Ballot Code 4 Leg District 14		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="radio"/>			
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.			
<b>State Representative District 14, Position #1</b>		<b>State Representative District 14, Position #2</b>	
<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	
<hr/>		<hr/>	
<b>Englewood Fire District Commissioner</b>		<b>Water District 12 Commissioner</b>	
<input type="radio"/> Wing Luke		<input type="radio"/> James Monroe	
<input type="radio"/> Thurgood Marshall		<input type="radio"/> Frida Kahlo	
<input checked="" type="radio"/> Sacagawea		<input checked="" type="radio"/> Clara Barton	
<input type="radio"/> Write-in		<input type="radio"/> Write-in	
<hr/>		<hr/>	

## Rule B, Example 2b

All choices marked are valid votes.

In this example, the voter has made the same mark throughout the ballot, some of which are outside of the target area. Because all of the marks are the same **type** for every race, all votes on this ballot shall be counted as valid.

Sample Precinct Ballot Code 4 Leg District 14		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.			
<b>State Representative District 14, Position #1</b>		<b>State Representative District 14, Position #2</b>	
<input checked="" 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 checked="" type="checkbox"/> Dwight D. Eisenhower	
<input type="checkbox"/> Write-in		<input type="checkbox"/> Write-in	
<b>Englewood Fire District Commissioner</b>		<b>Water District 12 Commissioner</b>	
<input type="checkbox"/> Wing Luke		<input type="checkbox"/> James Monroe	
<input checked="" type="checkbox"/> Thurgood Marshall		<input checked="" type="checkbox"/> Frida Kahlo	
<input type="checkbox"/> Sacagawea		<input type="checkbox"/> Clara Barton	
<input type="checkbox"/> Write-in		<input type="checkbox"/> Write-in	

## Rule B, Example 2c

All choices marked are valid votes.

In this example, the voter has made the same mark throughout the ballot, some of which are outside of the target area. Because all of the marks are the same **type** for every race, all votes on this ballot shall be counted as valid.

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

## Rule B, Example 3a

Only the vote for Thurgood Marshall is valid.

In this example, there are marks made outside of the target area, but not in a consistent pattern throughout the whole ballot. Only the vote for Marshall counts as a valid vote, because it is marked in the target area.

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

## Rule B, Example 3b

Only the vote for Thurgood Marshall is valid.

In this example, there are marks made outside of the target area, but not in a consistent pattern throughout the whole ballot. 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		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.			
<b>State Representative District 14, Position #1</b>		<b>State Representative District 14, Position #2</b>	
<input checked="" 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 checked="" type="checkbox"/> Dwight D. Eisenhower	
<input type="checkbox"/> Write-in		<input type="checkbox"/> Write-in	
<b>Englewood Fire District Commissioner</b>		<b>Water District 12 Commissioner</b>	
<input type="checkbox"/> Wing Luke		<input type="checkbox"/> James Monroe	
<input checked="" type="checkbox"/> Thurgood Marshall		<input type="checkbox"/> Frida Kahlo	
<input type="checkbox"/> Sacagawea		<input checked="" 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, there are marks made outside of the target area, but not in a consistent pattern throughout the whole ballot. 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		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: ← ■			
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.			
<b>State Representative District 14, Position #1</b>		<b>State Representative District 14, Position #2</b>	
<input checked="" type="checkbox"/> Teddy Roosevelt	← ■	Dolley Payne Madison	← ■
<input type="checkbox"/> Abigail S. Adams	← ■	Rosa Parks	← ■
<input type="checkbox"/> William Henry Harrison	← ■	<input checked="" type="checkbox"/> Dwight D. Eisenhower	← ■
<input type="checkbox"/> Write-in	← ■	<input type="checkbox"/> Write-in	← ■
<b>Englewood Fire District Commissioner</b>		<b>Water District 12 Commissioner</b>	
<input type="checkbox"/> Wing Luke	← ■	<input checked="" type="checkbox"/> James Monroe	← ■
<input checked="" type="checkbox"/> Thurgood Marshall	← ■	<input type="checkbox"/> Frida Kahlo	← ■
<input type="checkbox"/> Sacagawea	← ■	<input type="checkbox"/> Clara Barton	← ■
<input type="checkbox"/> Write-in	← ■	<input type="checkbox"/> Write-in	← ■

---

## 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' over one of the marked areas, the choice without the 'X' 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, the voter has followed the 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

No marks will count as valid votes.

In the following examples, the voter has followed the instructions for correcting a vote. (**Note:** If the voter marks a strike through each race that is voted throughout the ballot, see Rule B, "Consistent Pattern.")

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, the voter has 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, 4b

In examples 4 a and b, no marks will count as valid 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

---

---

Rule C, Examples 4c, 4d

In examples 4 c and d, the write-in vote for John Doe is the valid vote.

4c

<b>State Representative District 14, Position #1</b>	
Teddy Roosevelt	← X →
Abigail S. Adams	←   →
<del>William Henry Harrison</del>	←   →
Write-in	←   →
<u>John Doe</u>	

4d

<b>State Representative District 14, Position #1</b>	
Teddy Roosevelt	← X →
Abigail S. Adams	←   →
<del>William Henry Harrison</del>	←   →
Write-in	←   →
<u>John Doe</u>	

---

## 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.

---

## Rule D, Examples 1a-d

The following examples are all 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 1d

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, but 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><b>Official Ballot - Sample County, WA</b> <b>General Election November 6, 2222</b></p>															
<p><b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/></p> <p><b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.</p>																
<p><b>Proposition No. 1</b> <b>City of Angles School District</b> <b>Capital Projects Technology Levy</b></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 <del>educational technology equipment</del> 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 <del>educational technology equipment</del> improvements: <span style="float: right; font-size: 2em;">not</span></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="checkbox"/> LEVY Yes</p> <p><input type="checkbox"/> 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														

---

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

---

## Rule E

### **Written Instructions**

If the voter has attempted to correct a vote and provides written instruction regarding his or her intent, it shall be counted as the voter instructed. Written instruction includes words, circles, or arrows.

### Rule E, Examples 1a-c

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

In the following examples, the voter has attempted to correct a vote and provided written instruction regarding how it should be counted.

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.

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		<b>Official Ballot – Sample County, WA General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>		<i>Maria Garcia-Lopez</i>	
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.			
<b>State Representative District 14, Position #1</b>	<b>State Representative District 14, Position #2</b>		
<input type="checkbox"/> Teddy Roosevelt	<input checked="" type="checkbox"/> Dolley Payne Madison		
<input type="checkbox"/> Abigail S. Adams	<input type="checkbox"/> Rosa Parks		
<input checked="" type="checkbox"/> William Henry Harrison	<input type="checkbox"/> Dwight D. Eisenhower		
<input type="checkbox"/> Write-in	<input type="checkbox"/> Write-in		
<b>Englewood Fire District Commissioner</b>	<b>Water District 12 Commissioner</b>		
<input checked="" type="checkbox"/> Wing Luke	<input type="checkbox"/> James Monroe		
<input type="checkbox"/> Thurgood Marshall	<input type="checkbox"/> Frida Kahlo		
<input type="checkbox"/> Sacagawea	<input checked="" type="checkbox"/> Clara Barton		
<input type="checkbox"/> Write-in	<input type="checkbox"/> 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		<b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b>	
<b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/>			
<b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the right to vote for another candidate if you wish.			
<b>State Representative District 14, Position #1</b>		<b>State Representative District 14, Position #2</b>	
<input type="checkbox"/> Teddy Roosevelt		<input checked="" type="checkbox"/> Dolley Payne Madison	
<input type="checkbox"/> Abigail S. Adams		<input type="checkbox"/> Rosa Parks	
<input checked="" type="checkbox"/> William Henry Harrison		<input type="checkbox"/> Dwight D. Eisenhower	
<input type="checkbox"/> Write-in		<input type="checkbox"/> Write-in	
<b>Englewood Fire District Commissioner</b>		<b>Water District 12 Commissioner</b>	
<input type="checkbox"/> Wing Luke		<input type="checkbox"/> James Monroe	
<input checked="" type="checkbox"/> Thurgood Marshall		<input type="checkbox"/> Frida Kahlo	
<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.

<p>Sample Precinct Ballot Code 4 Leg District 14</p> <p style="text-align: center;"><b>Official Ballot – Sample County, WA</b> <b>General Election November 6, 2222</b></p> <p><b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: </p> <p><b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.</p>	
<p><b>State Representative District 14, Position #1</b></p> <p>Teddy Roosevelt </p> <p>Abigail S. Adams </p> <p>William Henry Harrison </p> <p>Write-in </p> <p>_____</p>	<p><b>State Representative District 14, Position #2</b></p> <p>Dolley Payne Madison </p> <p>Rosa Parks </p> <p>Dwight D. Eisenhower </p> <p>Write-in </p> <p>_____</p>
<p><b>Englewood Fire District Commissioner</b></p> <p>Wing Luke </p> <p>Thurgood Marshall </p> <p>Sacagawea </p> <p>Write-in </p> <p>_____</p>	<p><b>Water District 12 Commissioner</b></p> <p><del>James Monroe</del>  JR</p> <p><del>Frida Kahlo</del> </p> <p><del>Clara Barton</del> </p> <p>Write-in </p> <p>_____</p>

*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 on the ballot.

(See Rule I.)

---

## Rule G, Examples 1a-c

These are not valid votes for any candidate.

The following examples have more target areas marked than are allowed. These shall all be 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

<b>State Representative District 14, Position #1</b>	
<input type="radio"/>	Teddy Roosevelt
<input type="radio"/>	Abigail S. Adams
<input type="radio"/>	William Henry Harrison
<input type="radio"/>	Write-in <u>Sam Dee</u>

1b

<b>State Representative District 14, Position #1</b>	
<input type="checkbox"/>	Teddy Roosevelt
<input type="checkbox"/>	Abigail S. Adams
<input type="checkbox"/>	William Henry Harrison
<input checked="" type="checkbox"/>	Write-in <u>Sam Dee</u>

1c

<b>State Representative District 14, Position #1</b>	
Teddy Roosevelt	<input type="checkbox"/>
Abigail S. Adams	<input type="checkbox"/>
William Henry Harrison	<input type="checkbox"/>
Write-in <u>Sam Dee</u>	<input checked="" type="checkbox"/>

---

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

<b>State Representative District 14, Position #1</b>	
<input type="radio"/>	Teddy Roosevelt
<input checked="" type="radio"/>	Abigail S. Adams
<input type="radio"/>	William Henry Harrison
<input type="radio"/>	Write-in <u>Abigail S. Adams</u>

1b

<b>State Representative District 14, Position #1</b>	
<input type="checkbox"/>	Teddy Roosevelt
<input type="checkbox"/>	Abigail S. Adams
<input type="checkbox"/>	William Henry Harrison
<input checked="" type="checkbox"/>	Write-in <u>Abigail S. Adams</u>

1c

<b>State Representative District 14, Position #1</b>	
Teddy Roosevelt	<input type="checkbox"/>
Abigail S. Adams	<input checked="" type="checkbox"/>
William Henry Harrison	<input type="checkbox"/>
Write-in	<input checked="" type="checkbox"/>
<u>Abigail S. Adams</u>	

1d

<b>State Representative District 14, Position #1</b>	
<input type="radio"/>	Teddy Roosevelt
<input type="radio"/>	Abigail S. Adams
<input type="radio"/>	William Henry Harrison
<input type="radio"/>	Write-in <u>Abigail S. Adams</u>

---

## 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.

1a

**State Representative  
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in  
Tommas Smith

1b

**State Representative  
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in  
Tommy Smith

1c

**State Representative  
District 14, Position #1**

Teddy Roosevelt ← ▣

Abigail S. Adams ← ▣

William Henry Harrison ← ▣

Write-in ← ▣  
Tom Smythe

1d

**State Representative  
District 14, Position #1**

Teddy Roosevelt

Abigail S. Adams

William Henry Harrison

Write-in  
Thom Smith

---

Rule K

**Write-in: Blank Line**

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

---

## Rule K, Examples 1a-d

The following 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 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 are valid votes for Teddy Adams.

1a

<b>State Representative District 14, Position #1</b>	
<input type="radio"/>	Teddy Roosevelt
<input type="radio"/>	Abigail S. Adams
<input type="radio"/>	William Henry Harrison
<input checked="" type="radio"/>	Write-in <u>Teddy Adams</u>

1b

<b>State Representative District 14, Position #1</b>	
<input type="checkbox"/>	Teddy Roosevelt
<input type="checkbox"/>	Abigail S. Adams
<input type="checkbox"/>	William Henry Harrison
<input type="checkbox"/>	Write-in <u>Teddy Adams</u>

---

## Rule M, Examples 1c, 1d

The following are valid votes for Bill Roosevelt.

1c

<b>State Representative District 14, Position #1</b>	
Teddy Roosevelt	<input type="checkbox"/> <input type="checkbox"/>
Abigail S. Adams	<input type="checkbox"/> <input type="checkbox"/>
William Henry Harrison	<input type="checkbox"/> <input type="checkbox"/>
Write-in	<input checked="" type="checkbox"/> <input type="checkbox"/>
<u>Bill Roosevelt</u>	

1d

<b>State Representative District 14, Position #1</b>	
<input type="radio"/>	Teddy Roosevelt
<input type="radio"/>	Abigail S. Adams
<input type="radio"/>	William Henry Harrison
<input checked="" type="radio"/>	Write-in <u>Bill Roosevelt</u>

---

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 will all be 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 will all be 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 will all be 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 1a

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 be counted. All other votes on this ballot are valid and will be counted.

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

## Rule P, Example 1a

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.

<p>Sample Precinct Ballot Code 4 Leg District 14</p> <p style="text-align: center;"><b>Official Ballot – Sample County, WA General Election November 6, 2222</b></p> <p><b>Instructions to voters:</b> Fill in the square next to your choice. Vote like this: <input checked="" type="checkbox"/></p> <p><b>If you make a mistake:</b> Draw a line through the entire candidate's name like this: <del>George Washington</del> You then have the option of making another choice if you wish.</p>	
<p><b>State Representative District 14, Position #1</b></p> <p><input checked="" type="checkbox"/> <del>Teddy Roosevelt</del></p> <p><input checked="" type="checkbox"/> <del>Abigail S. Adams</del></p> <p><input type="checkbox"/> William Henry Harrison</p> <p><input type="checkbox"/> Write-in</p>	<p><b>State Representative District 14, Position #2</b></p> <p><input type="checkbox"/> Dolley Payne Madison</p> <p><input type="checkbox"/> Rosa Parks</p> <p><input type="checkbox"/> Dwight D. Eisenhower</p> <p><input type="checkbox"/> Write-in</p>
<p><b>Englewood Fire District Commissioner</b></p> <p><input type="checkbox"/> Wing Luke</p> <p><input type="checkbox"/> Thurgood Marshall</p> <p><input type="checkbox"/> Sacagawea</p> <p><input type="checkbox"/> Write-in</p>	<p><b>Water District 12 Commissioner</b></p> <p><input type="checkbox"/> James Monroe</p> <p><input type="checkbox"/> Frida Kahlo</p> <p><input type="checkbox"/> Clara Barton</p> <p><input type="checkbox"/> Write-in</p>

State Rep Dist 14 Pos 1  
 Teddy Roosevelt

---

## Rule Q

### **Messy Marks**

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

---

## Rule Q, Examples 1a-d

The following 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.

---

**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

## **Consistent Pattern**

A consistent pattern on voted ballots is when the same type of mark is used for every office or issue on the ballot for which the voter has recorded a choice.

## **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 the day before the election.

## **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."

## **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 prior to the day of the election. Write-in votes cast for an undeclared candidate must clearly indicate the office and position sought and, if applicable, 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.

(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 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

## References (continued)

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.

(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 election board or the canvassing board can determine the issue for or against which or the person and the office for which the voter intended to vote.

### **State Law: Washington Administrative Code (WAC)**

**WAC 434-261-070 Manual inspection of ballots.** (1) Upon receiving absentee ballots and upon breaking the seals and opening the ballot containers from the precincts, 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) The inspection of ballots tabulated at the poll site is not required provided that the poll site ballot programming provisions of RCW 29A.44.340 are in effect.

(3) 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,

## References (continued)

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.

(4) 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 the ballot sent, 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 an absentee oath 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.

(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 434-253-047. 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 contained within a returned mail ballot envelope containing only one valid signature under the affidavit, unless both ballots are voted identically, in which case one ballot will be counted. If there are two valid signatures under the affidavit, both ballots must be counted;

(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.

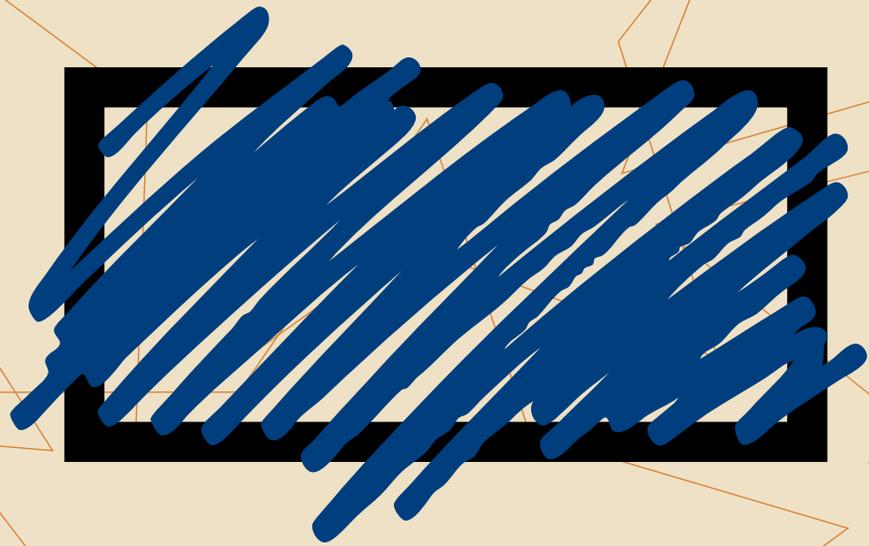
## References (continued)

### **WAC 434-262-160 Write-in voting –**

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

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

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



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

