



# Secretary of State

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## Write-in Voting

Elections Clearinghouse Notice

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This Clearinghouse is reissued to reflect legislative changes in Senate Bill 6058 and replaces Clearinghouse #12-04.

### Declared Write-in Candidates

Write-in candidates must file a declaration to have votes tallied for a race. Write-in candidates may file a declaration of candidacy form up until 8:00 p.m. on Election Day.

Write-in candidates that file more than 18 days before an election do not pay a filing fee.

Write-in candidates that file 18 days or less before an election must pay a filing fee. For offices with a fixed annual salary of more than \$1,000, the filing fee is 1% of the annual salary. For offices with a fixed annual salary of \$1,000 or less, the filing fee is \$25. Candidates for offices without a fixed annual salary must also pay the \$25 filing fee, including those paid on per diem or per meeting basis. Candidates may submit a filing fee petition in lieu of the filing fee.

Excluding the office of precinct committee officer or temporary positions such as a charter review board member or freeholder, no person may file for more than one office. This applies to both regular filings and write-in filings. (RCW 29A.24.075)

The Secretary of State's Office will notify each County Auditor's Office of declared write-in candidates for state and federal offices that file with the Secretary of State.

The filing officer for multi-county districts must immediately provide candidate filing information to any county within the district.

If a write-in candidate lost the same race in the Primary, either as a regular candidate printed on the ballot or as a declared write-in, that candidate is ineligible and cannot file in the General Election as a write-in candidate for the same race. (RCW 29A.24.311 and RCW 29A.60.021)

### **Political Party Preference**

Candidates for partisan offices are not party nominees; therefore, a party preference is not required for write-in votes.

If a write-in candidate qualifies to appear on the General Election ballot, the party preference listed on the write-in declaration is printed on the ballot. (WAC 434-262-160)

### **Reporting Write-in Votes**

The total number of write-in votes printed on election results must include only valid write-in votes for both declared and undeclared candidates. Votes for declared and undeclared write-in candidates must be tabulated as intended by the voter.

The final cumulative report must include the total number of write-in votes, overvotes and undervotes tabulated. This report, as part of the certification of the election, is transmitted electronically to the Secretary of State immediately following certification as per RCW 29A.60.230 (1).

If votes for a declared write-in candidate are required to be tallied, the number of votes tallied for that candidate shall be reported as a single total in the certification of the election.

### **Determining When to Tally Declared Write-in Candidate Totals**

Using results from the county cumulative report, determine if votes for declared write-in candidates must be tallied. You may skip this step if there are no declared write-in candidates for an office by 8:00 p.m. on Election Day.

Determine the total number of write-in votes and the total votes cast for each office:

#### **For single-candidate printed on the ballot for a race:**

- a. Primary Election. When the total number of write-in votes is more than 1% of the total votes cast for the office, individual write-in votes for declared write-in candidates must be tallied. A candidate qualifies for the General Election if they receive more than 1% of the total votes cast for that office and are one of the top two vote getters. (See Example 1)

- b. General Election. When the total number of write-in votes for an office exceeds the number of votes cast for the single candidate, individual write-in votes for declared write-in candidates must be tallied.

**Two or more candidates printed on the ballot for a race:**

- a. Primary Election. Tally write-in votes for declared write-in candidates when the total number of write-in votes is more than the number of votes cast for the 2<sup>nd</sup> place candidate. (See Example 2)
- b. General Election. Tally write-in votes for declared write-in candidates when the total number of write-in votes for an office is more than the apparent winner of the race. (See Example 3)

**Example 1.** Only one candidate filed for County Office 1. The Primary Election results are:

Candidate A	1000
Write-ins	200
Oervotes	1
Undervotes	170

Step 1: The total votes cast for this office is 1200. (Oervotes and undervotes are not votes cast for an office, but should be reviewed for write-ins during ballot inspection.) One percent (1%) of the total votes cast for the office is 12.

Step 2: 200 write-in votes is more than 1%. The write-in votes for declared write-in candidates must be tallied.

**Example 2.** Two candidates filed for County Office 1. The Primary Election results are:

Candidate A	1300
Candidate B	150
Write-ins	210
Oervotes	4
Undervotes	8

Step 1: Determine the total number of write-in votes. In this example, the number is 210.

Step 2: The 2<sup>nd</sup> place candidate received 150 votes. The number of write-in votes is more than what the 2<sup>nd</sup> place candidate received. Write-in votes for declared write-in candidates must be tallied.

**Example 3.** The General Election results for County Office 2 are:

Candidate A	2000
Candidate B	150
Write-ins	300
Overvotes	3
Undervotes	19

Step 1: Determine the total number of write-in votes. In this example, the number is 300.

Step 2: The apparently elected candidate received is 2000 votes. The number of write-in votes is less than 2000. Write-in votes for this office need not be tallied and are not reported.

### **Multi-County Districts**

When a write-in candidate files in a multi-county district, the filing officer must notify the other counties of the filing immediately.

The filing officer must compile the number of write-in votes and total votes cast from each county to determine if votes for declared write-in candidates must be tallied. If votes must be tallied, the filing officer must notify the other counties immediately.

### **Voter Intent (WAC 434-262-160)**

Ballot inspection should include a check for valid write-in votes. Valid write-in votes include both declared and undeclared candidates.

The County Canvassing Board shall exercise all reasonable efforts to determine the voter's intent on valid write-in votes. The Statewide Standards on What is a Vote must be applied to write-in votes. (WAC 434-261-086 and 434-262-160)

### **Reporting Tallies of Write-in Votes**

All counties must report write-in votes in the same manner.

### **Primary Elections**

- Declared write-in candidates are not displayed on printed **unofficial** election results. If a county "resolves" write-in votes with candidate names that do not require a tally when processing, the results shall not be posted on certification documents or unofficial election results.

- If an office has a declared write-in candidate and
  - **The total number of write-in votes is not enough to tally write-in votes**, the votes for individual write-in candidates shall not be part of the official results certified by the Canvassing Board. Individual vote totals will not be displayed on certification documents or unofficial election results for that candidate.
  - **The total number of write-in votes requires a tally of votes for declared write-in candidates.** The total of votes cast for each declared write-in candidate shall be included in the official results certified by the Canvassing Board.
- The candidate shall be notified and their name shall appear on public lists of candidates if they qualify to go onto the General.

## **General Elections**

- Declared write-in candidates are not displayed on printed unofficial election results. If a county “resolves” write-in votes with candidate names that do not require a tally when processing, the results shall not be posted on certification documents or unofficial election results or included on printed election results.
- If a declared candidate receives enough votes to be elected, their name shall appear on the certified election results.
- If an office has a declared candidate and
  - **The total number of write-in votes is not enough to tally write-in votes**, the votes for individual write-in candidates shall not be part of the official results certified by the Canvassing Board. Individual vote totals will not be displayed on certification documents or unofficial election results for that candidate.
  - **The total number of write-in votes requires tally of votes for declared write-in candidates.** The total of votes cast for each declared write-in candidate shall be included in the official results certified by the Canvassing Board.

## **Certifying Write-in Tallies.**

If votes must be tallied for individual declared write-in candidates, include the tallies in the certification documents for a primary or election. The Canvassing Board shall determine the official number of votes tallied for each declared write-in candidate. The Board shall include votes with commonly recognizable nicknames and spelling variations of the declared candidate’s name in the official number of votes tallied for each qualifying write-in candidate.

### **Precinct Committee Officer (PCO)**

No write-in votes are permitted for the office of PCO. A write-in line is not printed on the ballot. If a voter writes in a vote for PCO, it cannot be tallied.

If the voter did not vote for any PCO candidates printed on the ballot and tried to write in a candidate's name not printed on the ballot, this is tabulated as an undervote.

If the voter marked the target area for a PCO candidate printed on the ballot and also apparently tried to write-in a candidate's name for PCO, the vote for the printed candidate will **count**. This is not considered an overvote.

**Corrections** made by the voter regarding PCO candidates already printed on the ballot are permitted. If the voter attempts to correct a vote in a contested PCO race, rules for voter intent must be followed.

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