

1        NEW SECTION.    **Sec. 121.** A new section is added to chapter 29A.32  
2 RCW to read as follows:

3        The voters' pamphlet must contain:

4        (1) Information about each ballot measure initiated by or referred  
5 to the voters for their approval or rejection as required by RCW  
6 29A.32.070;

7        (2) In even-numbered years, statements, if submitted, advocating  
8 the candidacies of nominees for the office of president and vice  
9 president of the United States, United States senator, United States  
10 representative, governor, lieutenant governor, secretary of state,  
11 state treasurer, state auditor, attorney general, commissioner of  
12 public lands, superintendent of public instruction, insurance  
13 commissioner, state senator, state representative, justice of the  
14 supreme court, judge of the court of appeals, or judge of the superior  
15 court. Candidates may also submit a campaign mailing address and  
16 telephone number and a photograph not more than five years old and of  
17 a size and quality that the secretary of state determines to be  
18 suitable for reproduction in the voters' pamphlet;

19        (3) In odd-numbered years, if any office voted upon statewide  
20 appears on the ballot due to a vacancy, then statements and photographs  
21 for candidates for any vacant office listed in subsection (2) of this  
22 section must appear;

23        (4) In even-numbered years, a section explaining how voters may  
24 participate in the election campaign process; the address and telephone  
25 number of the public disclosure commission established under RCW  
26 42.17.350; and a summary of the disclosure requirements that apply when  
27 contributions are made to candidates and political committees;

28        (5) In even-numbered years the name, address, and telephone number  
29 of each political party with nominees listed in the pamphlet, if filed  
30 with the secretary of state by the state committee of a major political  
31 party or the presiding officer of the convention of a minor political  
32 party;

33        (6) In each odd-numbered year immediately before a year in which a  
34 president of the United States is to be nominated and elected,  
35 information explaining the precinct caucus and convention process used  
36 by each major political party to elect delegates to its national  
37 presidential candidate nominating convention. The pamphlet must also

1 provide a description of the statutory procedures by which minor  
2 political parties are formed and the statutory methods used by the  
3 parties to nominate candidates for president;

4 (7) An application form for an absentee ballot;

5 (8) A brief statement explaining the deletion and addition of  
6 language for proposed measures under RCW 29A.32.080;

7 (9) Any additional information pertaining to elections as may be  
8 required by law or in the judgment of the secretary of state is deemed  
9 informative to the voters.

10 NEW SECTION. **Sec. 122.** A new section is added to chapter 29A.32  
11 RCW to read as follows:

12 If the secretary of state prints and distributes a voters' pamphlet  
13 for a primary in an even-numbered year, it must contain:

14 (1) A description of the office of precinct committee officer and  
15 its duties;

16 (2) An explanation that, for partisan offices, only voters who  
17 choose to affiliate with a major political party may vote in that  
18 party's primary election, and that voters must limit their  
19 participation in a partisan primary to one political party; and

20 (3) An explanation that minor political party candidates and  
21 independent candidates will appear only on the general election ballot.

22 NEW SECTION. **Sec. 123.** A new section is added to chapter 29A.32  
23 RCW to read as follows:

24 The local voters' pamphlet shall include but not be limited to the  
25 following:

26 (1) Appearing on the cover, the words "official local voters'  
27 pamphlet," the name of the jurisdiction producing the pamphlet, and the  
28 date of the election or primary;

29 (2) A list of jurisdictions that have measures or candidates in the  
30 pamphlet;

31 (3) Information on how a person may register to vote and obtain an  
32 absentee ballot;

33 (4) The text of each measure accompanied by an explanatory  
34 statement prepared by the prosecuting attorney for any county measure  
35 or by the attorney for the jurisdiction submitting the measure if other  
36 than a county measure. All explanatory statements for city, town, or

1 district measures not approved by the attorney for the jurisdiction  
2 submitting the measure shall be reviewed and approved by the county  
3 prosecuting attorney or city attorney, when applicable, before  
4 inclusion in the pamphlet;

5 (5) The arguments for and against each measure submitted by  
6 committees selected pursuant to RCW 29A.32.280; and

7 (6) For partisan primary elections, information on how to vote the  
8 applicable ballot format and an explanation that minor political party  
9 candidates and independent candidates will appear only on the general  
10 election ballot.

11 NEW SECTION. **Sec. 124.** A new section is added to chapter 29A.36  
12 RCW to read as follows:

13 On or before the day following the last day for major political  
14 parties to fill vacancies in the ticket as provided by section 191 of  
15 this act, the secretary of state shall certify to each county auditor  
16 a list of the candidates who have filed declarations of candidacy in  
17 his or her office for the primary. For each office, the certificate  
18 shall include the name of each candidate, his or her address, and his  
19 or her party designation, if any. Minor political party and  
20 independent candidates may appear only on the general election ballot.

21 NEW SECTION. **Sec. 125.** A new section is added to chapter 29A.36  
22 RCW to read as follows:

23 Except for the candidates for the positions of president and vice  
24 president, for a partisan or nonpartisan office for which no primary is  
25 required, or for independent or minor party candidates, the names of  
26 all candidates who, under this title, filed a declaration of candidacy  
27 or were certified as a candidate to fill a vacancy on a major party  
28 ticket will appear on the appropriate ballot at the primary throughout  
29 the jurisdiction in which they are to be nominated.

30 NEW SECTION. **Sec. 126.** A new section is added to chapter 29A.36  
31 RCW to read as follows:

32 Partisan primaries must be conducted using either:

33 (1) A consolidated ballot format that includes a major political  
34 party identification check-off box that allows a voter to select from  
35 a list of the major political parties the major political party with

1 which the voter chooses to affiliate. The consolidated ballot must  
2 include all partisan races, nonpartisan races, and ballot measures to  
3 be voted on at that primary; or

4 (2) A physically separate ballot format that includes both party  
5 ballots and a nonpartisan ballot. A party ballot must be specific to  
6 a particular major political party and may include only the partisan  
7 offices to be voted on at that primary and the names of candidates for  
8 those partisan offices who designated that same major political party  
9 in their declarations of candidacy. The nonpartisan ballot must  
10 include all nonpartisan races and ballot measures to be voted on at  
11 that primary.

12 NEW SECTION. **Sec. 127.** A new section is added to chapter 29A.36  
13 RCW to read as follows:

14 (1) If the consolidated ballot format is used, the major political  
15 party identification check-off box must appear on the primary ballot  
16 before all offices and ballot measures. Clear and concise instructions  
17 to the voter must be prominently displayed immediately before the list  
18 of major political parties, and must include:

19 (a) A question asking the voter to indicate the major political  
20 party with which the voter chooses to affiliate;

21 (b) A statement that, for a major political party candidate, only  
22 votes cast by voters who choose to affiliate with that same major  
23 political party will be tabulated and reported;

24 (c) A statement that votes cast for a major political party  
25 candidate by a voter who chooses to affiliate with a different major  
26 political party will not be tabulated or reported;

27 (d) A statement that votes cast for a major political party  
28 candidate by a voter who fails to select a major political party  
29 affiliation will not be tabulated or reported;

30 (e) A statement that votes cast for a major political party  
31 candidate by a voter who selects more than one major political party  
32 with which to affiliate will not be tabulated or reported; and

33 (f) A statement that the party identification option will not  
34 affect votes cast for candidates for nonpartisan offices, or for or  
35 against ballot measures.

36 (2) If the physically separate ballot format is used, clear and

1 concise instructions to the voter must be prominently displayed, and  
2 must include:

3 (a) A statement explaining that only one party ballot and one  
4 nonpartisan ballot may be voted;

5 (b) A statement explaining that if more than one party ballot is  
6 voted, none of the party ballots will be tabulated or reported;

7 (c) A statement explaining that a voter's affiliation with a major  
8 political party will be inferred from the act of voting the party  
9 ballot for that major political party; and

10 (d) A statement explaining that every eligible registered voter may  
11 vote a nonpartisan ballot, regardless of any party affiliation on the  
12 part of the voter.

13 NEW SECTION. **Sec. 128.** A new section is added to chapter 29A.36  
14 RCW to read as follows:

15 Every ballot for a single combination of issues, offices, and  
16 candidates shall be uniform within a precinct and shall identify the  
17 type of primary or election, the county, and the date of the primary or  
18 election, and the ballot or voting device shall contain instructions on  
19 the proper method of recording a vote, including write-in votes. Each  
20 position, together with the names of the candidates for that office,  
21 shall be clearly separated from other offices or positions in the same  
22 jurisdiction. The offices in each jurisdiction shall be clearly  
23 separated from each other. No paper ballot or ballot card may be  
24 marked in any way that would permit the identification of the person  
25 who voted that ballot.

26 NEW SECTION. **Sec. 129.** A new section is added to chapter 29A.36  
27 RCW to read as follows:

28 (1)(a) The positions or offices on a primary consolidated ballot  
29 shall be arranged in substantially the following order: United States  
30 senator; United States representative; governor; lieutenant governor;  
31 secretary of state; state treasurer; state auditor; attorney general;  
32 commissioner of public lands; superintendent of public instruction;  
33 insurance commissioner; state senator; state representative; county  
34 officers; justices of the supreme court; judges of the court of  
35 appeals; judges of the superior court; and judges of the district

1 court. For all other jurisdictions on the primary consolidated ballot,  
2 the offices in each jurisdiction shall be grouped together and be in  
3 the order of the position numbers assigned to those offices, if any.

4 (b) (i) The positions or offices on a primary party ballot must be  
5 arranged in substantially the following order: United States senator;  
6 United States representative; governor; lieutenant governor; secretary  
7 of state; state treasurer; state auditor; attorney general;  
8 commissioner of public lands; insurance commissioner; state senator;  
9 state representative; and partisan county officers. For all other  
10 jurisdictions on the primary party ballot, the offices in each  
11 jurisdiction must be grouped together and be in the order of the  
12 position numbers assigned to those offices, if any.

13 (ii) The positions or offices on a primary nonpartisan ballot must  
14 be arranged in substantially the following order: Superintendent of  
15 public instruction; justices of the supreme court; judges of the court  
16 of appeals; judges of the superior court; and judges of the district  
17 court. For all other jurisdictions on the primary nonpartisan ballot,  
18 the offices in each jurisdiction must be grouped together and be in the  
19 order of the position numbers assigned to those offices, if any.

20 (2) The order of the positions or offices on an election ballot  
21 shall be substantially the same as on a primary consolidated ballot  
22 except that state ballot issues must be placed before all offices. The  
23 offices of president and vice president of the United States shall  
24 precede all other offices on a presidential election ballot. The  
25 positions on a ballot to be assigned to ballot measures regarding local  
26 units of government shall be established by the secretary of state by  
27 rule.

28 (3) The political party or independent candidacy of each candidate  
29 for partisan office shall be indicated next to the name of the  
30 candidate on the primary and election ballot. A candidate shall file  
31 a written notice with the filing officer within three business days  
32 after the close of the filing period designating the political party to  
33 be indicated next to the candidate's name on the ballot if either: (a)  
34 The candidate has been nominated by two or more minor political parties  
35 or independent conventions; or (b) the candidate has both filed a  
36 declaration of candidacy declaring an affiliation with a major  
37 political party and been nominated by a minor political party or  
38 independent convention. If no written notice is filed the filing

1 officer shall give effect to the party designation shown upon the first  
2 document filed. A candidate may be deemed nominated by a minor party  
3 or independent convention only if all documentation required by chapter  
4 29A.20 RCW has been timely filed.

5 NEW SECTION. **Sec. 130.** A new section is added to chapter 29A.36  
6 RCW to read as follows:

7 After the close of business on the last day for candidates to file  
8 for office, the filing officer shall, from among those filings made in  
9 person and by mail, determine by lot the order in which the names of  
10 those candidates will appear on all primary, sample, and absentee  
11 ballots. The determination shall be done publicly and may be witnessed  
12 by the media and by any candidate. If no primary is required for any  
13 nonpartisan office under section 172 of this act or RCW 29A.52.220, or  
14 if any independent or minor party candidate files a declaration of  
15 candidacy, the names shall appear on the general election ballot in the  
16 order determined by lot.

17 NEW SECTION. **Sec. 131.** A new section is added to chapter 29A.36  
18 RCW to read as follows:

19 Except in each county with a population of one million or more, on  
20 or before the fifteenth day before a primary or election, the county  
21 auditor shall prepare a sample ballot which shall be made readily  
22 available to members of the public. The secretary of state shall adopt  
23 rules governing the preparation of sample ballots in counties with a  
24 population of one million or more. The rules shall permit, among other  
25 alternatives, the preparation of more than one sample ballot by a  
26 county with a population of one million or more for a primary or  
27 election, each of which lists a portion of the offices and issues to be  
28 voted on in that county. The position of precinct committee officer  
29 shall be shown on the sample ballot for the primary, but the names of  
30 candidates for the individual positions need not be shown.

31 NEW SECTION. **Sec. 132.** A new section is added to chapter 29A.36  
32 RCW to read as follows:

33 (1) On the top of each ballot must be printed clear and concise  
34 instructions directing the voter how to mark the ballot, including

1 write-in votes. On the top of each primary ballot must be printed the  
2 instructions required by this chapter.

3 (2) The questions of adopting constitutional amendments or any  
4 other state measure authorized by law to be submitted to the voters at  
5 that election must appear after the instructions and before any  
6 offices.

7 (3) In a year that president and vice president appear on the  
8 general election ballot, the names of candidates for president and vice  
9 president for each political party must be grouped together with a  
10 single response position for a voter to indicate his or her choice.

11 (4) On a general election ballot, the candidate or candidates of  
12 the major political party that received the highest number of votes  
13 from the electors of this state for the office of president of the  
14 United States at the last presidential election must appear first  
15 following the appropriate office heading. The candidate or candidates  
16 of the other major political parties will follow according to the votes  
17 cast for their nominees for president at the last presidential  
18 election, and independent candidates and the candidate or candidates of  
19 all other parties will follow in the order of their qualification with  
20 the secretary of state.

21 (5) All paper ballots and ballot cards used at a polling place must  
22 be sequentially numbered in such a way to permit removal of such  
23 numbers without leaving any identifying marks on the ballot.

24 NEW SECTION. **Sec. 133.** A new section is added to chapter 29A.36  
25 RCW to read as follows:

26 The name of a candidate for a partisan office for which a primary  
27 was conducted shall not be printed on the ballot for that office at the  
28 subsequent general election unless, at the preceding primary, the  
29 candidate receives a number of votes equal to at least one percent of  
30 the total number of votes cast for all candidates for that office and  
31 a plurality of the votes cast by voters affiliated with that party for  
32 candidates for that office affiliated with that party.

33 NEW SECTION. **Sec. 134.** A new section is added to chapter 29A.40  
34 RCW to read as follows:

35 (1) The county auditor shall issue an absentee ballot for the  
36 primary or election for which it was requested, or for the next

1 occurring primary or election when ongoing absentee status has been  
2 requested if the information contained in a request for an absentee  
3 ballot or ongoing absentee status received by the county auditor is  
4 complete and correct and the applicant is qualified to vote under  
5 federal or state law. Otherwise, the county auditor shall notify the  
6 applicant of the reason or reasons why the request cannot be accepted.  
7 Whenever two or more candidates have filed for the position of precinct  
8 committee officer for the same party in the same precinct, the contest  
9 for that position must be presented to absentee voters from that  
10 precinct by either including the contest on the regular absentee ballot  
11 or a separate absentee ballot. The ballot must provide space  
12 designated for writing in the name of additional candidates.

13 (2) A registered voter may obtain a replacement ballot if the  
14 ballot is destroyed, spoiled, lost, or not received by the voter. The  
15 voter may obtain the ballot by telephone request, by mail,  
16 electronically, or in person. The county auditor shall keep a record  
17 of each replacement ballot provided under this subsection.

18 (3) A copy of the state voters' pamphlet must be sent to registered  
19 voters temporarily outside the state, out-of-state voters, overseas  
20 voters, and service voters along with the absentee ballot if such a  
21 pamphlet has been prepared for the primary or election and is available  
22 to the county auditor at the time of mailing. The county auditor shall  
23 mail all absentee ballots and related material to voters outside the  
24 territorial limits of the United States and the District of Columbia  
25 under 39 U.S.C. 3406.

26 NEW SECTION. **Sec. 135.** A new section is added to chapter 29A.40  
27 RCW to read as follows:

28 The county auditor shall send each absentee voter a ballot, a  
29 security envelope in which to seal the ballot after voting, a larger  
30 envelope in which to return the security envelope, and instructions on  
31 how to mark the ballot and how to return it to the county auditor. The  
32 instructions that accompany an absentee ballot for a partisan primary  
33 must include instructions for voting the applicable ballot style, as  
34 provided in chapter 29A.36 RCW. The larger return envelope must  
35 contain a declaration by the absentee voter reciting his or her  
36 qualifications and stating that he or she has not voted in any other  
37 jurisdiction at this election, together with a summary of the penalties

1 for any violation of any of the provisions of this chapter. The return  
2 envelope must provide space for the voter to indicate the date on which  
3 the ballot was voted and for the voter to sign the oath. A summary of  
4 the applicable penalty provisions of this chapter must be printed on  
5 the return envelope immediately adjacent to the space for the voter's  
6 signature. The signature of the voter on the return envelope must  
7 affirm and attest to the statements regarding the qualifications of  
8 that voter and to the validity of the ballot. For out-of-state voters,  
9 overseas voters, and service voters, the signed declaration on the  
10 return envelope constitutes the equivalent of a voter registration for  
11 the election or primary for which the ballot has been issued. The  
12 voter must be instructed to either return the ballot to the county  
13 auditor by whom it was issued or attach sufficient first class postage,  
14 if applicable, and mail the ballot to the appropriate county auditor no  
15 later than the day of the election or primary for which the ballot was  
16 issued.

17 If the county auditor chooses to forward absentee ballots, he or  
18 she must include with the ballot a clear explanation of the  
19 qualifications necessary to vote in that election and must also advise  
20 a voter with questions about his or her eligibility to contact the  
21 county auditor. This explanation may be provided on the ballot  
22 envelope, on an enclosed insert, or printed directly on the ballot  
23 itself. If the information is not included, the envelope must clearly  
24 indicate that the ballot is not to be forwarded and that return postage  
25 is guaranteed.

26 NEW SECTION. **Sec. 136.** A new section is added to chapter 29A.44  
27 RCW to read as follows:

28 A voter desiring to vote shall give his or her name to the precinct  
29 election officer who has the precinct list of registered voters. This  
30 officer shall announce the name to the precinct election officer who  
31 has the copy of the inspector's poll book for that precinct. If the  
32 right of this voter to participate in the primary or election is not  
33 challenged, the voter must be issued a ballot or permitted to enter a  
34 voting booth or to operate a voting device. For a partisan primary in  
35 a jurisdiction using the physically separate ballot format, the voter  
36 must be issued a nonpartisan ballot and each party ballot. The number

1 of the ballot or the voter must be recorded by the precinct election  
2 officers. If the right of the voter to participate is challenged, RCW  
3 29A.08.810 and 29A.08.820 apply to that voter.

4 NEW SECTION. **Sec. 137.** A new section is added to chapter 29A.44  
5 RCW to read as follows:

6 On signing the precinct list of registered voters or being issued  
7 a ballot, the voter shall, without leaving the polling place or  
8 disability access location, proceed to one of the voting booths or  
9 voting devices to cast his or her vote. When county election  
10 procedures so provide, the election officers may tear off and retain  
11 the numbered stub from the ballot before delivering it to the voter.  
12 If an election officer has not already done so, when the voter has  
13 finished, he or she shall either (1) remove the numbered stub from the  
14 ballot, place the ballot in the ballot box, and return the number to  
15 the election officers, or (2) deliver the entire ballot to the election  
16 officers, who shall remove the numbered stub from the ballot and place  
17 the ballot in the ballot box. For a partisan primary in a jurisdiction  
18 using the physically separate ballot format, the voter shall also  
19 return unvoted party ballots to the precinct election officers, who  
20 shall void the unvoted party ballots and return them to the county  
21 auditor. If poll-site ballot counting devices are used, the voter  
22 shall put the ballot in the device.

23 NEW SECTION. **Sec. 138.** A new section is added to chapter 29A.44  
24 RCW to read as follows:

25 As each voter casts his or her vote, the precinct election officers  
26 shall insert in the poll books or precinct list of registered voters  
27 opposite that voter's name, a notation to credit the voter with having  
28 participated in that primary or election. No record may be made of a  
29 voter's party affiliation in a partisan primary. The precinct election  
30 officers shall record the voter's name so that a separate record is  
31 kept.

32 NEW SECTION. **Sec. 139.** A new section is added to chapter 29A.52  
33 RCW to read as follows:

34 Major political party candidates for all partisan elected offices,

1 except for president and vice president, precinct committee officer,  
2 and offices exempted from the primary under section 172 of this act,  
3 must be nominated at primaries held under this chapter.

4 NEW SECTION. **Sec. 140.** A new section is added to chapter 29A.52  
5 RCW to read as follows:

6 It is the intent of the legislature to create a primary for all  
7 partisan elected offices, except for president and vice president,  
8 precinct committee officer, and offices exempted from the primary under  
9 section 172 of this act, that:

- 10 (1) Allows each voter to participate;
- 11 (2) Preserves the privacy of each voter's party affiliation;
- 12 (3) Rejects mandatory voter registration by political party;
- 13 (4) Protects ballot access for all candidates, including minor  
14 political party and independent candidates;
- 15 (5) Maintains a candidate's right to self-identify with any major  
16 political party; and
- 17 (6) Upholds a political party's First Amendment right of  
18 association.

19 NEW SECTION. **Sec. 141.** A new section is added to chapter 29A.52  
20 RCW to read as follows:

21 Instructions for voting a consolidated ballot or a physically  
22 separate ballot, whichever is applicable, must appear, at the very  
23 least, in:

- 24 (1) Any primary voters' pamphlet prepared by the secretary of state  
25 or a local government if a partisan office will appear on the ballot;
- 26 (2) Instructions that accompany any partisan primary ballot;
- 27 (3) Any notice of a partisan primary published in compliance with  
28 section 145 of this act;
- 29 (4) A sample ballot prepared by a county auditor under section 131  
30 of this act for a partisan primary;
- 31 (5) The web site of the office of the secretary of state and any  
32 existing web site of a county auditor's office; and
- 33 (6) Every polling place.

34 NEW SECTION. **Sec. 142.** A new section is added to chapter 29A.52  
35 RCW to read as follows:

1 (1) Under a consolidated ballot format:

2 (a) Votes for a major political party candidate will only be  
3 tabulated and reported if cast by voters who choose to affiliate with  
4 that same major political party;

5 (b) Votes cast for a major political party candidate by a voter who  
6 chooses to affiliate with a different major political party may not be  
7 tabulated or reported;

8 (c) Votes cast for a major political party candidate by a voter who  
9 fails to select a major political party affiliation may not be  
10 tabulated or reported;

11 (d) Votes cast for a major political party candidate by a voter who  
12 selects more than one major political party with which to affiliate may  
13 not be tabulated or reported; and

14 (e) Votes properly cast may not be affected by votes improperly  
15 cast for other races.

16 (2) Under a physically separate ballot format:

17 (a) Only one party ballot and one nonpartisan ballot may be voted;

18 (b) If more than one party ballot is voted, none of the ballots  
19 will be tabulated or reported;

20 (c) A voter's affiliation with a major political party will be  
21 inferred from the act of voting the party ballot for that major  
22 political party; and

23 (d) Every eligible registered voter may vote a nonpartisan ballot.

24 NEW SECTION. **Sec. 143.** A new section is added to chapter 29A.52  
25 RCW to read as follows:

26 So far as applicable, the provisions of this title relating to  
27 conducting general elections govern the conduct of primaries.

28 NEW SECTION. **Sec. 144.** A new section is added to chapter 29A.52  
29 RCW to read as follows:

30 Nothing in this chapter may be construed to mean that a voter may  
31 cast more than one vote for candidates for a given office.

32 NEW SECTION. **Sec. 145.** A new section is added to chapter 29A.52  
33 RCW to read as follows:

34 Not more than ten nor less than three days before the primary the  
35 county auditor shall publish notice of such primary in one or more

1 newspapers of general circulation within the county. The notice must  
2 contain the proper party designations, the names and addresses of all  
3 persons who have filed a declaration of candidacy to be voted upon at  
4 that primary, instructions for voting the applicable ballot, as  
5 provided in chapter 29A.36 RCW, the hours during which the polls will  
6 be open, and the polling places for each precinct, giving the address  
7 of each polling place. The names of all candidates for nonpartisan  
8 offices must be published separately with designation of the offices  
9 for which they are candidates but without party designation. This is  
10 the only notice required for the holding of any primary.

11 NEW SECTION. Sec. 146. A new section is added to chapter 29A.52  
12 RCW to read as follows:

13 No later than the day following the certification of the returns of  
14 any primary, the secretary of state shall certify to the appropriate  
15 county auditors the names of all persons nominated for offices at a  
16 primary, or at an independent candidate or minor party convention.

17 NEW SECTION. Sec. 147. A new section is added to chapter 29A.60  
18 RCW to read as follows:

19 (1) For any office at any election or primary, any voter may write  
20 in on the ballot the name of any person for an office who has filed as  
21 a write-in candidate for the office in the manner provided by section  
22 117 of this act and such vote shall be counted the same as if the name  
23 had been printed on the ballot and marked by the voter. For a partisan  
24 primary in a jurisdiction using the physically separate ballot format,  
25 a voter may write in on a party ballot only the names of write-in  
26 candidates who affiliate with that major political party. No write-in  
27 vote made for any person who has not filed a declaration of candidacy  
28 pursuant to section 117 of this act is valid if that person filed for  
29 the same office, either as a regular candidate or a write-in candidate,  
30 at the preceding primary. Any abbreviation used to designate office,  
31 position, or political party shall be accepted if the canvassing board  
32 can determine, to their satisfaction, the voter's intent.

33 (2) The number of write-in votes cast for each office must be  
34 recorded and reported with the canvass for the election.

35 (3) Write-in votes cast for an individual candidate for an office  
36 need not be tallied if the total number of write-in votes and under

1 votes recorded by the vote tabulation system for the office is not  
2 greater than the number of votes cast for the candidate apparently  
3 nominated or elected, and the write-in votes could not have altered the  
4 outcome of the primary or election. In the case of write-in votes for  
5 statewide office or for any office whose jurisdiction encompasses more  
6 than one county, write-in votes for an individual candidate must be  
7 tallied whenever the county auditor is notified by either the office of  
8 the secretary of state or another auditor in a multicounty jurisdiction  
9 that it appears that the write-in votes could alter the outcome of the  
10 primary or election.

11 (4) In the case of statewide offices or jurisdictions that  
12 encompass more than one county, if the total number of write-in votes  
13 and under votes recorded by the vote tabulation system for an office  
14 within a county is greater than the number of votes cast for a  
15 candidate apparently nominated or elected in a primary or election, the  
16 auditor shall tally all write-in votes for individual candidates for  
17 that office and notify the office of the secretary of state and the  
18 auditors of the other counties within the jurisdiction, that the write-  
19 in votes for individual candidates should be tallied.

20 NEW SECTION. Sec. 148. A new section is added to chapter 29A.80  
21 RCW to read as follows:

22 Any member of a major political party who is a registered voter in  
23 the precinct may upon payment of a fee of one dollar file his or her  
24 declaration of candidacy as prescribed under section 158 of this act  
25 with the county auditor for the office of precinct committee officer of  
26 his or her party in that precinct. When elected at the primary, the  
27 precinct committee officer shall serve so long as the committee officer  
28 remains an eligible voter in that precinct.

29 NEW SECTION. Sec. 149. A new section is added to chapter 29A.80  
30 RCW to read as follows:

31 The statutory requirements for filing as a candidate at the  
32 primaries apply to candidates for precinct committee officer. The  
33 office must be voted upon at the primaries, and the names of all  
34 candidates must appear under the proper party and office designations  
35 on the ballot for the primary for each even-numbered year, and the one  
36 receiving the highest number of votes will be declared elected.

1 However, to be declared elected, a candidate must receive at least ten  
2 percent of the number of votes cast for the candidate of the  
3 candidate's party receiving the greatest number of votes in the  
4 precinct. The term of office of precinct committee officer is two  
5 years, commencing the first day of December following the primary.

6 NEW SECTION. **Sec. 150.** A new section is added to chapter 29A.80  
7 RCW to read as follows:

8 Within forty-five days after the statewide general election in  
9 even-numbered years, the county chair of each major political party  
10 shall call separate meetings of all elected precinct committee officers  
11 in each legislative district for the purpose of electing a legislative  
12 district chair in such district. The district chair shall hold office  
13 until the next legislative district reorganizational meeting two years  
14 later, or until a successor is elected.

15 The legislative district chair may be removed only by the majority  
16 vote of the elected precinct committee officers in the chair's  
17 district.

18 NEW SECTION. **Sec. 151.** A new section is added to chapter 29A.04  
19 RCW to read as follows:

20 The secretary of state as chief election officer shall make  
21 reasonable rules in accordance with chapter 34.05 RCW not inconsistent  
22 with the federal and state election laws to effectuate any provision of  
23 this title and to facilitate the execution of its provisions in an  
24 orderly, timely, and uniform manner relating to any federal, state,  
25 county, city, town, and district elections. To that end the secretary  
26 shall assist local election officers by devising uniform forms and  
27 procedures.

28 In addition to the rule-making authority granted otherwise by this  
29 section, the secretary of state shall make rules governing the  
30 following provisions:

31 (1) The maintenance of voter registration records;

32 (2) The preparation, maintenance, distribution, review, and filing  
33 of precinct maps;

34 (3) Standards for the design, layout, and production of ballots;

35 (4) The examination and testing of voting systems for  
36 certification;

1 (5) The source and scope of independent evaluations of voting  
2 systems that may be relied upon in certifying voting systems for use in  
3 this state;

4 (6) Standards and procedures for the acceptance testing of voting  
5 systems by counties;

6 (7) Standards and procedures for testing the programming of vote  
7 tallying software for specific primaries and elections;

8 (8) Standards and procedures for the preparation and use of each  
9 type of certified voting system including procedures for the operation  
10 of counting centers where vote tallying systems are used;

11 (9) Standards and procedures to ensure the accurate tabulation and  
12 canvassing of ballots;

13 (10) Consistency among the counties of the state in the preparation  
14 of ballots, the operation of vote tallying systems, and the canvassing  
15 of primaries and elections;

16 (11) Procedures to ensure the secrecy of a voter's ballot when a  
17 small number of ballots are counted at the polls or at a counting  
18 center;

19 (12) The use of substitute devices or means of voting when a voting  
20 device at the polling place is found to be defective, the counting of  
21 votes cast on the defective device, the counting of votes cast on the  
22 substitute device, and the documentation that must be submitted to the  
23 county auditor regarding such circumstances;

24 (13) Procedures for the transportation of sealed containers of  
25 voted ballots or sealed voting devices;

26 (14) The acceptance and filing of documents via electronic  
27 facsimile;

28 (15) Voter registration applications and records;

29 (16) The use of voter registration information in the conduct of  
30 elections;

31 (17) The coordination, delivery, and processing of voter  
32 registration records accepted by driver licensing agents or the  
33 department of licensing;

34 (18) The coordination, delivery, and processing of voter  
35 registration records accepted by agencies designated by the governor to  
36 provide voter registration services;

37 (19) Procedures to receive and distribute voter registration  
38 applications by mail;

1 (20) Procedures for a voter to change his or her voter registration  
2 address within a county by telephone;

3 (21) Procedures for a voter to change the name under which he or  
4 she is registered to vote;

5 (22) Procedures for canceling dual voter registration records and  
6 for maintaining records of persons whose voter registrations have been  
7 canceled;

8 (23) Procedures for the electronic transfer of voter registration  
9 records between county auditors and the office of the secretary of  
10 state;

11 (24) Procedures and forms for declarations of candidacy;

12 (25) Procedures and requirements for the acceptance and filing of  
13 declarations of candidacy by electronic means;

14 (26) Procedures for the circumstance in which two or more  
15 candidates have a name similar in sound or spelling so as to cause  
16 confusion for the voter;

17 (27) Filing for office;

18 (28) The order of positions and offices on a ballot;

19 (29) Sample ballots;

20 (30) Independent evaluations of voting systems;

21 (31) The testing, approval, and certification of voting systems;

22 (32) The testing of vote tallying software programming;

23 (33) Standards and procedures to prevent fraud and to facilitate  
24 the accurate processing and canvassing of absentee ballots and mail  
25 ballots;

26 (34) Standards and procedures to guarantee the secrecy of absentee  
27 ballots and mail ballots;

28 (35) Uniformity among the counties of the state in the conduct of  
29 absentee voting and mail ballot elections;

30 (36) Standards and procedures to accommodate out-of-state voters,  
31 overseas voters, and service voters;

32 (37) The tabulation of paper ballots before the close of the polls;

33 (38) The accessibility of polling places and registration  
34 facilities that are accessible to elderly and disabled persons;

35 (39) The aggregation of precinct results if reporting the results  
36 of a single precinct could jeopardize the secrecy of a person's ballot;

37 (40) Procedures for conducting a statutory recount;

1 (41) Procedures for filling vacancies in congressional offices if  
2 the general statutory time requirements for availability of absentee  
3 ballots, certification, canvassing, and related procedures cannot be  
4 met;

5 (42) Procedures for the statistical sampling of signatures for  
6 purposes of verifying and canvassing signatures on initiative,  
7 referendum, and recall election petitions;

8 (43) Standards and deadlines for submitting material to the office  
9 of the secretary of state for the voters' pamphlet;

10 (44) Deadlines for the filing of ballot titles for referendum bills  
11 and constitutional amendments if none have been provided by the  
12 legislature;

13 (45) Procedures for the publication of a state voters' pamphlet;

14 (46) Procedures for conducting special elections regarding nuclear  
15 waste sites if the general statutory time requirements for availability  
16 of absentee ballots, certification, canvassing, and related procedures  
17 cannot be met;

18 (47) Procedures for conducting partisan primary elections;

19 (48) Standards and procedures for the proper conduct of voting  
20 during the early voting period to provide accessability for the blind  
21 or visually impaired;

22 (49) Standards for voting technology and systems used by the state  
23 or any political subdivision to be accessible for individuals with  
24 disabilities, including nonvisual accessibility for the blind and  
25 visually impaired, in a manner that provides the same opportunity for  
26 access and participation, including privacy and independence, as other  
27 voters;

28 (50) All data formats for transferring voter registration data on  
29 electronic or machine-readable media for the purpose of administering  
30 the statewide voter registration list required by the Help America Vote  
31 Act (P.L. 107-252);

32 (51) Defining the interaction of electronic voter registration  
33 election management systems employed by each county auditor to maintain  
34 a local copy of each county's portion of the official state list of  
35 registered voters;

36 (52) Provisions and procedures to implement the state-based  
37 administrative complaint procedure as required by the Help America Vote  
38 Act (P.L. 107-252); and

1 (53) Facilitating the payment of local government grants to local  
2 government election officers or vendors.

3 NEW SECTION. **Sec. 152.** A new section is added to chapter 29A.04  
4 RCW to read as follows:

5 "Primary" or "primary election" means a statutory procedure for  
6 nominating candidates to public office at the polls.

7 NEW SECTION. **Sec. 153.** A new section is added to chapter 29A.20  
8 RCW to read as follows:

9 (1) A person filing a declaration of candidacy for an office shall,  
10 at the time of filing, be a registered voter and possess the  
11 qualifications specified by law for persons who may be elected to the  
12 office.

13 (2) Excluding the office of precinct committee officer or a  
14 temporary elected position such as a charter review board member or  
15 freeholder, no person may file for more than one office.

16 (3) The name of a candidate for an office shall not appear on a  
17 ballot for that office unless, except as provided in RCW 3.46.067 and  
18 3.50.057, the candidate is, at the time the candidate's declaration of  
19 candidacy is filed, properly registered to vote in the geographic area  
20 represented by the office. For the purposes of this section, each  
21 geographic area in which registered voters may cast ballots for an  
22 office is represented by that office. If a person elected to an office  
23 must be nominated from a district or similar division of the geographic  
24 area represented by the office, the name of a candidate for the office  
25 shall not appear on a primary ballot for that office unless the  
26 candidate is, at the time the candidate's declaration of candidacy is  
27 filed, properly registered to vote in that district or division. The  
28 officer with whom declarations of candidacy must be filed under this  
29 title shall review each such declaration filed regarding compliance  
30 with this subsection.

31 (4) The requirements of voter registration and residence within the  
32 geographic area of a district do not apply to candidates for  
33 congressional office. Qualifications for the United States congress  
34 are specified in the United States Constitution.

1        NEW SECTION.    **Sec. 154.**    A new section is added to chapter 29A.20  
2    RCW to read as follows:

3        A certificate evidencing nominations made at a convention must:

4        (1) Be in writing;

5        (2) Contain the name of each person nominated, his or her  
6    residence, and the office for which he or she is named, and if the  
7    nomination is for the offices of president and vice president of the  
8    United States, a sworn statement from both nominees giving their  
9    consent to the nomination;

10       (3) Identify the minor political party or the independent candidate  
11    on whose behalf the convention was held;

12       (4) Be verified by the oath of the presiding officer and secretary;

13       (5) Be accompanied by a nominating petition or petitions bearing  
14    the signatures and addresses of registered voters equal in number to  
15    that required by section 111 of this act;

16       (6) Contain proof of publication of the notice of calling the  
17    convention; and

18       (7) Be submitted to the appropriate filing officer not later than  
19    one week following the adjournment of the convention at which the  
20    nominations were made.    If the nominations are made only for offices  
21    whose jurisdiction is entirely within one county, the certificate and  
22    nominating petitions must be filed with the county auditor.    If a minor  
23    party or independent candidate convention nominates any candidates for  
24    offices whose jurisdiction encompasses more than one county, all  
25    nominating petitions and the convention certificates must be filed with  
26    the secretary of state.

27       NEW SECTION.    **Sec. 155.**    A new section is added to chapter 29A.20  
28    RCW to read as follows:

29       (1) If two or more valid certificates of nomination are filed  
30    purporting to nominate different candidates for the same position using  
31    the same party name, the filing officer must give effect to both  
32    certificates.    If conflicting claims to the party name are not resolved  
33    either by mutual agreement or by a judicial determination of the right  
34    to the name, the candidates must be treated as independent candidates.  
35    Disputes over the right to the name must not be permitted to delay the  
36    printing of either ballots or a voters' pamphlet.    Other candidates

1 nominated by the same conventions may continue to use the partisan  
2 affiliation unless a court of competent jurisdiction directs otherwise.

3 (2) A person affected may petition the superior court of the county  
4 in which the filing officer is located for a judicial determination of  
5 the right to the name of a minor political party, either before or  
6 after documents are filed with the filing officer. The court shall  
7 resolve the conflict between competing claims to the use of the same  
8 party name according to the following principles: (a) The prior  
9 established public use of the name during previous elections by a party  
10 composed of or led by the same individuals or individuals in documented  
11 succession; (b) prior established public use of the name earlier in the  
12 same election cycle; (c) the nomination of a more complete slate of  
13 candidates for a number of offices or in a number of different regions  
14 of the state; (d) documented affiliation with a national or statewide  
15 party organization with an established use of the name; (e) the first  
16 date of filing of a certificate of nomination; and (f) such other  
17 indicia of an established right to use of the name as the court may  
18 deem relevant. If more than one filing officer is involved, and one of  
19 them is the secretary of state, the petition must be filed in the  
20 superior court for Thurston county. Upon resolving the conflict  
21 between competing claims, the court may also address any ballot  
22 designation for the candidate who does not prevail.

23 NEW SECTION. **Sec. 156.** A new section is added to chapter 29A.20  
24 RCW to read as follows:

25 A minor political party or independent candidate convention  
26 nominating candidates for the offices of president and vice president  
27 of the United States shall, not later than ten days after the  
28 adjournment of the convention, submit a list of presidential electors  
29 to the office of the secretary of state. The list shall contain the  
30 names and the mailing addresses of the persons selected and shall be  
31 verified by the presiding officer of the convention.

32 NEW SECTION. **Sec. 157.** A new section is added to chapter 29A.20  
33 RCW to read as follows:

34 Upon the receipt of the certificate of nomination, the officer with  
35 whom it is filed shall check the certificate and canvass the signatures  
36 on the accompanying nominating petitions to determine if the

1 requirements of section .111 of this act have been met. Once the  
2 determination has been made, the filing officer shall notify the  
3 presiding officer of the convention and any other persons requesting  
4 the notification, of his or her decision regarding the sufficiency of  
5 the certificate or the nominating petitions. Any appeal regarding the  
6 filing officer's determination must be filed with the superior court of  
7 the county in which the certificate or petitions were filed not later  
8 than five days from the date the determination is made, and shall be  
9 heard and finally disposed of by the court within five days of the  
10 filing. Nominating petitions shall not be available for public  
11 inspection or copying.

12 NEW SECTION. **Sec. 158.** A new section is added to chapter 29A.24  
13 RCW to read as follows:

14 A candidate who desires to have his or her name printed on the  
15 ballot for election to an office other than president of the United  
16 States, vice president of the United States, or an office for which  
17 ownership of property is a prerequisite to voting shall complete and  
18 file a declaration of candidacy. The secretary of state shall adopt,  
19 by rule, a declaration of candidacy form for the office of precinct  
20 committee officer and a separate standard form for candidates for all  
21 other offices filing under this chapter. Included on the standard form  
22 shall be:

23 (1) A place for the candidate to declare that he or she is a  
24 registered voter within the jurisdiction of the office for which he or  
25 she is filing, and the address at which he or she is registered;

26 (2) A place for the candidate to indicate the position for which he  
27 or she is filing;

28 (3) A place for the candidate to indicate a party designation, if  
29 applicable;

30 (4) A place for the candidate to indicate the amount of the filing  
31 fee accompanying the declaration of candidacy or for the candidate to  
32 indicate that he or she is filing a nominating petition in lieu of the  
33 filing fee under section 160 of this act;

34 (5) A place for the candidate to sign the declaration of candidacy,  
35 stating that the information provided on the form is true and swearing  
36 or affirming that he or she will support the Constitution and laws of

1 the United States and the Constitution and laws of the state of  
2 Washington.

3 In the case of a declaration of candidacy filed electronically,  
4 submission of the form constitutes agreement that the information  
5 provided with the filing is true, that he or she will support the  
6 Constitutions and laws of the United States and the state of  
7 Washington, and that he or she agrees to electronic payment of the  
8 filing fee established in section 160 of this act.

9 The secretary of state may require any other information on the  
10 form he or she deems appropriate to facilitate the filing process.

11 NEW SECTION. **Sec. 159.** A new section is added to chapter 29A.24  
12 RCW to read as follows:

13 Any candidate may mail his or her declaration of candidacy for an  
14 office to the filing officer. Such declarations of candidacy shall be  
15 processed by the filing officer in the following manner:

16 (1) Any declaration received by the filing officer by mail before  
17 the tenth business day immediately preceding the first day for  
18 candidates to file for office shall be returned to the candidate  
19 submitting it, together with a notification that the declaration of  
20 candidacy was received too early to be processed. The candidate shall  
21 then be permitted to resubmit his or her declaration of candidacy  
22 during the filing period.

23 (2) Any properly executed declaration of candidacy received by mail  
24 on or after the tenth business day immediately preceding the first day  
25 for candidates to file for office and before the close of business on  
26 the last day of the filing period shall be included with filings made  
27 in person during the filing period. In partisan and judicial elections  
28 the filing officer shall determine by lot the order in which the names  
29 of those candidates shall appear upon sample and absentee primary  
30 ballots.

31 (3) Any declaration of candidacy received by the filing officer  
32 after the close of business on the last day for candidates to file for  
33 office shall be rejected and returned to the candidate attempting to  
34 file it.

35 NEW SECTION. **Sec. 160.** A new section is added to chapter 29A.24  
36 RCW to read as follows:

1 A filing fee of one dollar shall accompany each declaration of  
2 candidacy for precinct committee officer; a filing fee of ten dollars  
3 shall accompany the declaration of candidacy for any office with a  
4 fixed annual salary of one thousand dollars or less; a filing fee equal  
5 to one percent of the annual salary of the office at the time of filing  
6 shall accompany the declaration of candidacy for any office with a  
7 fixed annual salary of more than one thousand dollars per annum. No  
8 filing fee need accompany a declaration of candidacy for any office for  
9 which compensation is on a per diem or per meeting attended basis.

10 A candidate who lacks sufficient assets or income at the time of  
11 filing to pay the filing fee required by this section shall submit with  
12 his or her declaration of candidacy a nominating petition. The  
13 petition shall contain not less than a number of signatures of  
14 registered voters equal to the number of dollars of the filing fee.  
15 The signatures shall be of voters registered to vote within the  
16 jurisdiction of the office for which the candidate is filing.

17 When the candidacy is for:

18 (1) A legislative or judicial office that includes territory from  
19 more than one county, the fee shall be paid to the secretary of state  
20 for equal division between the treasuries of the counties comprising  
21 the district.

22 (2) A city or town office, the fee shall be paid to the county  
23 auditor who shall transmit it to the city or town clerk for deposit in  
24 the city or town treasury.

25 NEW SECTION. **Sec. 161.** A new section is added to chapter 29A.24  
26 RCW to read as follows:

27 Nominating petitions may be rejected for the following reasons:

- 28 (1) The petition is not in the proper form;  
29 (2) The petition clearly bears insufficient signatures;  
30 (3) The petition is not accompanied by a declaration of candidacy;  
31 (4) The time within which the petition and the declaration of  
32 candidacy could have been filed has expired.

33 If the petition is accepted, the officer with whom it is filed  
34 shall canvass the signatures contained on it and shall reject the  
35 signatures of those persons who are not registered voters and the  
36 signatures of those persons who are not registered to vote within the  
37 jurisdiction of the office for which the nominating petition is filed.

1 He or she shall additionally reject any signature that appears on the  
2 nominating petitions of two or more candidates for the same office and  
3 shall also reject, each time it appears, the name of any person who  
4 signs the same petition more than once.

5 If the officer with whom the petition is filed refuses to accept  
6 the petition or refuses to certify the petition as bearing sufficient  
7 valid signatures, the person filing the petition may appeal that action  
8 to the superior court. The application for judicial review shall take  
9 precedence over other cases and matters and shall be speedily heard and  
10 determined.

11 NEW SECTION. Sec. 162. A new section is added to chapter 29A.24  
12 RCW to read as follows:

13 A void in candidacy for a nonpartisan office occurs when an  
14 election for such office, except for the short term, has been scheduled  
15 and no valid declaration of candidacy has been filed for the position  
16 or all persons filing such valid declarations of candidacy have died or  
17 been disqualified.

18 NEW SECTION. Sec. 163. A new section is added to chapter 29A.24  
19 RCW to read as follows:

20 The election officer with whom declarations of candidacy are filed  
21 shall give notice of a void in candidacy for a nonpartisan office, by  
22 notifying press, radio, and television in the county and by such other  
23 means as may now or hereafter be provided by law. The notice shall  
24 state the office, and the time and place for filing declarations of  
25 candidacy.

26 NEW SECTION. Sec. 164. A new section is added to chapter 29A.24  
27 RCW to read as follows:

28 Filings to fill a void in candidacy for nonpartisan office must be  
29 made in the same manner and with the same official as required during  
30 the regular filing period for such office, except that nominating  
31 signature petitions that may be required of candidates filing for  
32 certain district offices during the normal filing period may not be  
33 required of candidates filing during the special three-day filing  
34 period.

1 NEW SECTION. Sec. 165. A new section is added to chapter 29A.24  
2 RCW to read as follows:

3 Filings for a nonpartisan office shall be reopened for a period of  
4 three normal business days, such three day period to be fixed by the  
5 election officer with whom such declarations of candidacy are filed and  
6 notice thereof given by notifying press, radio, and television in the  
7 county and by such other means as may now or hereafter be provided by  
8 law whenever before the sixth Tuesday prior to a primary:

9 (1) A void in candidacy occurs;

10 (2) A vacancy occurs in any nonpartisan office leaving an unexpired  
11 term to be filled by an election for which filings have not been held;  
12 or

13 (3) A nominee for judge of the superior court entitled to a  
14 certificate of election pursuant to Article 4, section 29, Amendment 41  
15 of the state Constitution, dies or is disqualified.

16 Candidacies validly filed within said three-day period shall appear  
17 on the ballot as if made during the earlier filing period.

18 NEW SECTION. Sec. 166. A new section is added to chapter 29A.24  
19 RCW to read as follows:

20 Filings for a nonpartisan office (other than judge of the supreme  
21 court or superintendent of public instruction) shall be reopened for a  
22 period of three normal business days, such three day period to be fixed  
23 by the election officer with whom such declarations of candidacy are  
24 filed and notice thereof given by notifying press, radio, and  
25 television in the county and by such other means as may now or  
26 hereafter be provided by law, when:

27 (1) A void in candidacy for such nonpartisan office occurs on or  
28 after the sixth Tuesday prior to a primary but prior to the sixth  
29 Tuesday before an election; or

30 (2) A nominee for judge of the superior court eligible after a  
31 contested primary for a certificate of election by Article 4, section  
32 29, Amendment 41 of the state Constitution, dies or is disqualified  
33 within the ten day period immediately following the last day allotted  
34 for a candidate to withdraw; or

35 (3) A vacancy occurs in any nonpartisan office on or after the  
36 sixth Tuesday prior to a primary but prior to the sixth Tuesday before

1 an election leaving an unexpired term to be filled by an election for  
2 which filings have not been held.

3 The candidate receiving a plurality of the votes cast for that  
4 office in the general election shall be deemed elected.

5 NEW SECTION. **Sec. 167.** A new section is added to chapter 29A.24  
6 RCW to read as follows:

7 A scheduled election shall be lapsed, the office deemed stricken  
8 from the ballot, no purported write-in votes counted, and no candidate  
9 certified as elected, when:

10 (1) In an election for judge of the supreme court or superintendent  
11 of public instruction, a void in candidacy occurs on or after the sixth  
12 Tuesday prior to a primary, public filings and the primary being an  
13 indispensable phase of the election process for such offices;

14 (2) Except as otherwise specified in section 166 of this act, a  
15 nominee for judge of the superior court entitled to a certificate of  
16 election pursuant to Article 4, section 29, Amendment 41 of the state  
17 Constitution dies or is disqualified on or after the sixth Tuesday  
18 prior to a primary;

19 (3) In other elections for nonpartisan office a void in candidacy  
20 occurs or a vacancy occurs involving an unexpired term to be filled on  
21 or after the sixth Tuesday prior to an election.

22 NEW SECTION. **Sec. 168.** A new section is added to chapter 29A.32  
23 RCW to read as follows:

24 (1) The maximum number of words for statements submitted by  
25 candidates is as follows: State representative, one hundred words;  
26 state senator, judge of the superior court, judge of the court of  
27 appeals, justice of the supreme court, and all state offices voted upon  
28 throughout the state, except that of governor, two hundred words;  
29 president and vice president, United States senator, United States  
30 representative, and governor, three hundred words.

31 (2) Arguments written by committees under RCW 29A.32.060 may not  
32 exceed two hundred fifty words in length.

33 (3) Rebuttal arguments written by committees may not exceed  
34 seventy-five words in length.

35 (4) The secretary of state shall allocate space in the pamphlet  
36 based on the number of candidates or nominees for each office.

1        NEW SECTION.    **Sec. 169.**    A new section is added to chapter 29A.36  
2    RCW to read as follows:

3        (1) Except as provided to the contrary in RCW 82.14.036, 82.46.021,  
4    or 82.80.090, the ballot title of any referendum filed on an enactment  
5    or portion of an enactment of a local government and any other question  
6    submitted to the voters of a local government consists of three  
7    elements: (a) An identification of the enacting legislative body and  
8    a statement of the subject matter; (b) a concise description of the  
9    measure; and (c) a question. The ballot title must conform with the  
10   requirements and be displayed substantially as provided under RCW  
11   29A.72.050, except that the concise description must not exceed  
12   seventy-five words. If the local governmental unit is a city or a  
13   town, the concise statement shall be prepared by the city or town  
14   attorney. If the local governmental unit is a county, the concise  
15   statement shall be prepared by the prosecuting attorney of the county.  
16   If the unit is a unit of local government other than a city, town, or  
17   county, the concise statement shall be prepared by the prosecuting  
18   attorney of the county within which the majority area of the unit is  
19   located.

20        (2) A referendum measure on the enactment of a unit of local  
21   government shall be advertised in the manner provided for nominees for  
22   elective office.

23        (3) Subsection (1) of this section does not apply if another  
24   provision of law specifies the ballot title for a specific type of  
25   ballot question or proposition.

26        NEW SECTION.    **Sec. 170.**    A new section is added to chapter 29A.36  
27    RCW to read as follows:

28        (1) Except as provided in RCW 29A.36.180 and in subsection (2) of  
29    this section, on the ballot at the general election for a nonpartisan  
30    office for which a primary was held, only the names of the candidate  
31    who received the greatest number of votes and the candidate who  
32    received the next greatest number of votes for that office shall appear  
33    under the title of that office, and the names shall appear in that  
34    order. If a primary was conducted, no candidate's name may be printed  
35    on the subsequent general election ballot unless he or she receives at  
36    least one percent of the total votes cast for that office at the  
37    preceding primary. On the ballot at the general election for any other

1 nonpartisan office for which no primary was held, the names of the  
2 candidates shall be listed in the order determined under section 130 of  
3 this act.

4 (2) On the ballot at the general election for the office of justice  
5 of the supreme court, judge of the court of appeals, judge of the  
6 superior court, judge of the district court, or state superintendent of  
7 public instruction, if a candidate in a contested primary receives a  
8 majority of all the votes cast for that office or position, only the  
9 name of that candidate may be printed under the title of the office for  
10 that position.

11 NEW SECTION. **Sec. 171.** A new section is added to chapter 29A.36  
12 RCW to read as follows:

13 The names of the persons certified as nominees by the secretary of  
14 state or the county canvassing board shall be printed on the ballot at  
15 the ensuing election.

16 No name of any candidate whose nomination at a primary is required  
17 by law shall be placed upon the ballot at a general or special election  
18 unless it appears upon the certificate of either (1) the secretary of  
19 state, or (2) the county canvassing board, or (3) a minor party  
20 convention or the state or county central committee of a major  
21 political party to fill a vacancy on its ticket under section 192 of  
22 this act.

23 Excluding the office of precinct committee officer or a temporary  
24 elected position such as a charter review board member or freeholder,  
25 a candidate's name shall not appear more than once upon a ballot for a  
26 position regularly nominated or elected at the same election.

27 NEW SECTION. **Sec. 172.** A new section is added to chapter 29A.52  
28 RCW to read as follows:

29 Whenever it shall be necessary to hold a special election in an  
30 odd-numbered year to fill an unexpired term of any office which is  
31 scheduled to be voted upon for a full term in an even-numbered year, no  
32 September primary election shall be held in the odd-numbered year if,  
33 after the last day allowed for candidates to withdraw, either of the  
34 following circumstances exist:

35 (1) No more than one candidate of each qualified political party

1 has filed a declaration of candidacy for the same partisan office to be  
2 filled; or

3 (2) No more than two candidates have filed a declaration of  
4 candidacy for a single nonpartisan office to be filled.

5 In either event, the officer with whom the declarations of  
6 candidacy were filed shall immediately notify all candidates concerned  
7 and the names of the candidates that would have been printed upon the  
8 September primary ballot, but for the provisions of this section, shall  
9 be printed as nominees for the positions sought upon the November  
10 general election ballot.

11 NEW SECTION. Sec. 173. A new section is added to chapter 29A.52  
12 RCW to read as follows:

13 Candidates for the following offices shall be nominated at partisan  
14 primaries held pursuant to the provisions of this chapter:

15 (1) Congressional offices;

16 (2) All state offices except (a) judicial offices and (b) the  
17 office of superintendent of public instruction;

18 (3) All county offices except (a) judicial offices and (b) those  
19 offices where a county home rule charter provides otherwise.

20 NEW SECTION. Sec. 174. A new section is added to chapter 29A.52  
21 RCW to read as follows:

22 The offices of superintendent of public instruction, justice of the  
23 supreme court, judge of the court of appeals, judge of the superior  
24 court, and judge of the district court shall be nonpartisan and the  
25 candidates therefor shall be nominated and elected as such.

26 All city, town, and special purpose district elective offices shall  
27 be nonpartisan and the candidates therefor shall be nominated and  
28 elected as such.

29 NEW SECTION. Sec. 175. A new section is added to chapter 29A.52  
30 RCW to read as follows:

31 Except as provided in RCW 29A.32.260, notice for any state, county,  
32 district, or municipal election, whether special or general, must be  
33 given by at least one publication not more than ten nor less than three  
34 days before the election by the county auditor or the officer  
35 conducting the election as the case may be, in one or more newspapers

1 of general circulation within the county. The legal notice must  
2 contain the title of each office under the proper party designation,  
3 the names and addresses of all officers who have been nominated for an  
4 office to be voted upon at that election, together with the ballot  
5 titles of all measures, the hours during which the polls will be open,  
6 and the polling places for each precinct, giving the address of each  
7 polling place. The names of all candidates for nonpartisan offices  
8 must be published separately with designation of the offices for which  
9 they are candidates but without party designation. This is the only  
10 notice required for a state, county, district, or municipal general or  
11 special election and supersedes the provisions of any and all other  
12 statutes, whether general or special in nature, having different  
13 requirements for the giving of notice of any general or special  
14 elections.

15 NEW SECTION. **Sec. 176.** A new section is added to chapter 29A.60  
16 RCW to read as follows:

17 (1) If the requisite number of any federal, state, county, city, or  
18 district offices have not been nominated in a primary by reason of two  
19 or more persons having an equal and requisite number of votes for being  
20 placed on the general election ballot, the official empowered by state  
21 law to certify candidates for the general election ballot shall give  
22 notice to the several persons so having the equal and requisite number  
23 of votes to attend at the appropriate office at the time designated by  
24 that official, who shall then and there proceed publicly to decide by  
25 lot which of those persons will be declared nominated and placed on the  
26 general election ballot.

27 (2) If the requisite number of any federal, state, county, city,  
28 district, or precinct officers have not been elected by reason of two  
29 or more persons having an equal and highest number of votes for one and  
30 the same office, the official empowered by state law to issue the  
31 original certificate of election shall give notice to the several  
32 persons so having the highest and equal number of votes to attend at  
33 the appropriate office at the time to be appointed by that official,  
34 who shall then and there proceed publicly to decide by lot which of  
35 those persons will be declared duly elected, and the official shall  
36 make out and deliver to the person thus duly declared elected a  
37 certificate of election.

1 NEW SECTION. **Sec. 177.** A new section is added to chapter 29A.64  
2 RCW to read as follows:

3 An officer of a political party or any person for whom votes were  
4 cast in a primary who was not declared nominated may file a written  
5 application for a recount of the votes or a portion of the votes cast  
6 at that primary for all persons for whom votes were cast for nomination  
7 to that office.

8 An officer of a political party or any person for whom votes were  
9 cast at any election may file a written application for a recount of  
10 the votes or a portion of the votes cast at that election for all  
11 candidates for election to that office.

12 Any group of five or more registered voters may file a written  
13 application for a recount of the votes or a portion of the votes cast  
14 upon any question or issue. They shall designate one of the members of  
15 the group as chair and shall indicate the voting residence of each  
16 member of the group.

17 An application for a recount of the votes cast for an office or on  
18 a ballot measure must be filed with the officer with whom filings are  
19 made for the jurisdiction.

20 An application for a recount must specify whether the recount will  
21 be done manually or by the vote tally system. A recount done by the  
22 vote tally system must use programming that recounts and reports only  
23 the office or ballot measure in question. The county shall also  
24 provide for a test of the logic and accuracy of that program.

25 An application for a recount must be filed within three business  
26 days after the county canvassing board or secretary of state has  
27 declared the official results of the primary or election for the office  
28 or issue for which the recount is requested.

29 This chapter applies to the recounting of votes cast by paper  
30 ballots and to the recounting of votes recorded on ballots counted by  
31 a vote tally system.

32 NEW SECTION. **Sec. 178.** A new section is added to chapter 29A.64  
33 RCW to read as follows:

34 (1) If the official canvass of all of the returns for any office at  
35 any primary or election reveals that the difference in the number of  
36 votes cast for a candidate apparently nominated or elected to any  
37 office and the number of votes cast for the closest apparently defeated

1 opponent is less than two thousand votes and also less than one-half of  
2 one percent of the total number of votes cast for both candidates, the  
3 county canvassing board shall conduct a recount of all votes cast on  
4 that position.

5 (a) Whenever such a difference occurs in the number of votes cast  
6 for candidates for a position the declaration of candidacy for which  
7 was filed with the secretary of state, the secretary of state shall,  
8 within three business days of the day that the returns of the primary  
9 or election are first certified by the canvassing boards of those  
10 counties, direct those boards to recount all votes cast on the  
11 position.

12 (b) If the difference in the number of votes cast for the apparent  
13 winner and the closest apparently defeated opponent is less than one  
14 hundred fifty votes and also less than one-fourth of one percent of the  
15 total number of votes cast for both candidates, the votes shall be  
16 recounted manually or as provided in subsection (3) of this section.

17 (2) A mandatory recount shall be conducted in the manner provided  
18 by RCW 29A.64.030, and sections 179 and 180 of this act. No cost of a  
19 mandatory recount may be charged to any candidate.

20 (3) The apparent winner and closest apparently defeated opponent  
21 for an office for which a manual recount is required under subsection  
22 (1)(b) of this section may select an alternative method of conducting  
23 the recount. To select such an alternative, the two candidates shall  
24 agree to the alternative in a signed, written statement filed with the  
25 election official for the office. The recount shall be conducted using  
26 the alternative method if: It is suited to the balloting system that  
27 was used for casting the votes for the office; it involves the use of  
28 a vote tallying system that is approved for use in this state by the  
29 secretary of state; and the vote tallying system is readily available  
30 in each county required to conduct the recount. If more than one  
31 balloting system was used in casting votes for the office, an  
32 alternative to a manual recount may be selected for each system.

33 NEW SECTION. **Sec. 179.** A new section is added to chapter 29A.64  
34 RCW to read as follows:

35 (1) At the time and place established for a recount, the canvassing  
36 board or its duly authorized representatives, in the presence of all  
37 witnesses who may be in attendance, shall open the sealed containers

1 containing the ballots to be recounted, and shall recount the votes for  
2 the offices or issues for which the recount has been ordered. Ballots  
3 shall be handled only by the members of the canvassing board or their  
4 duly authorized representatives.

5 Witnesses shall be permitted to observe the ballots and the process  
6 of tabulating the votes, but they shall not be permitted to handle the  
7 ballots. The canvassing board shall not permit the tabulation of votes  
8 for any nomination, election, or issue other than the ones for which a  
9 recount was applied for or required.

10 (2) At any time before the ballots from all of the precincts listed  
11 in the application for the recount have been recounted, the applicant  
12 may file with the board a written request to stop the recount.

13 (3) The recount may be observed by persons representing the  
14 candidates affected by the recount or the persons representing both  
15 sides of an issue that is being recounted. The observers may not make  
16 a record of the names, addresses, or other information on the ballots,  
17 poll books, or applications for absentee ballots unless authorized by  
18 the superior court. The secretary of state or county auditor may limit  
19 the number of observers to not less than two on each side if, in his or  
20 her opinion, a greater number would cause undue delay or disruption of  
21 the recount process.

22 NEW SECTION. **Sec. 180.** A new section is added to chapter 29A.64  
23 RCW to read as follows:

24 Upon completion of the canvass of a recount, the canvassing board  
25 shall prepare and certify an amended abstract showing the votes cast in  
26 each precinct for which the recount was conducted. Copies of the  
27 amended abstracts must be transmitted to the same officers who received  
28 the abstract on which the recount was based.

29 If the nomination, election, or issue for which the recount was  
30 conducted was submitted only to the voters of a county, the canvassing  
31 board shall file the amended abstract with the original results of that  
32 election or primary.

33 If the nomination, election, or issue for which a recount was  
34 conducted was submitted to the voters of more than one county, the  
35 secretary of state shall canvass the amended abstracts and shall file  
36 an amended abstract with the original results of that election. An

1 amended abstract certified under this section supersedes any prior  
2 abstract of the results for the same offices or issues at the same  
3 primary or election.

4 NEW SECTION. **Sec. 181.** A new section is added to chapter 29A.64  
5 RCW to read as follows:

6 The canvassing board shall determine the expenses for conducting a  
7 recount of votes.

8 The cost of the recount shall be deducted from the amount deposited  
9 by the applicant for the recount at the time of filing the request for  
10 the recount, and the balance shall be returned to the applicant. If  
11 the costs of the recount exceed the deposit, the applicant shall pay  
12 the difference. No charges may be deducted by the canvassing board  
13 from the deposit for a recount if the recount changes the result of the  
14 nomination or election for which the recount was ordered.

15 NEW SECTION. **Sec. 182.** A new section is added to chapter 29A.68  
16 RCW to read as follows:

17 Any justice of the supreme court, judge of the court of appeals, or  
18 judge of the superior court in the proper county shall, by order,  
19 require any person charged with error, wrongful act, or neglect to  
20 forthwith correct the error, desist from the wrongful act, or perform  
21 the duty and to do as the court orders or to show cause forthwith why  
22 the error should not be corrected, the wrongful act desisted from, or  
23 the duty or order not performed, whenever it is made to appear to such  
24 justice or judge by affidavit of an elector that:

25 (1) An error or omission has occurred or is about to occur in  
26 printing the name of any candidate on official ballots; or

27 (2) An error other than as provided in subsections (1) and (3) of  
28 this section has been committed or is about to be committed in printing  
29 the ballots; or

30 (3) The name of any person has been or is about to be wrongfully  
31 placed upon the ballots; or

32 (4) A wrongful act other than as provided for in subsections (1)  
33 and (3) of this section has been performed or is about to be performed  
34 by any election officer; or

35 (5) Any neglect of duty on the part of an election officer other

1 than as provided for in subsections (1) and (3) of this section has  
2 occurred or is about to occur; or

3 (6) An error or omission has occurred or is about to occur in the  
4 issuance of a certificate of election.

5 An affidavit of an elector under subsections (1) and (3) above when  
6 relating to a primary election must be filed with the appropriate court  
7 no later than the second Friday following the closing of the filing  
8 period for nominations for such office and shall be heard and finally  
9 disposed of by the court not later than five days after the filing  
10 thereof. An affidavit of an elector under subsections (1) and (3) of  
11 this section when relating to a general election must be filed with the  
12 appropriate court no later than three days following the official  
13 certification of the primary election returns and shall be heard and  
14 finally disposed of by the court not later than five days after the  
15 filing thereof. An affidavit of an elector under subsection (6) of  
16 this section shall be filed with the appropriate court no later than  
17 ten days following the issuance of a certificate of election.

18 NEW SECTION. **Sec. 183.** A new section is added to chapter 29A.80  
19 RCW to read as follows:

20 (1) Each political party organization may:

21 (a) Make its own rules and regulations; and

22 (b) Perform all functions inherent in such an organization.

23 (2) Only major political parties may designate candidates to appear  
24 on the state primary ballot as provided in section 191 of this act.

25 NEW SECTION. **Sec. 184.** A new section is added to chapter 29A.84  
26 RCW to read as follows:

27 The following apply to persons signing nominating petitions  
28 prescribed by section 114 of this act:

29 (1) A person who signs a petition with any other than his or her  
30 name shall be guilty of a misdemeanor.

31 (2) A person shall be guilty of a misdemeanor if the person  
32 knowingly: Signs more than one petition for any single candidacy of  
33 any single candidate; signs the petition when he or she is not a legal  
34 voter; or makes a false statement as to his or her residence.

1 NEW SECTION. Sec. 185. A new section is added to chapter 29A.84  
2 RCW to read as follows:

3 Every person who:

4 (1) Knowingly provides false information on his or her declaration  
5 of candidacy or petition of nomination; or

6 (2) Conceals or fraudulently defaces or destroys a certificate that  
7 has been filed with an elections officer under chapter 29A.20 RCW or a  
8 declaration of candidacy or petition of nomination that has been filed  
9 with an elections officer, or any part of such a certificate,  
10 declaration, or petition, is guilty of a class C felony punishable  
11 under RCW 9A.20.021.

12 NEW SECTION. Sec. 186. A new section is added to chapter 29A.84  
13 RCW to read as follows:

14 Every person who:

15 (1) Knowingly and falsely issues a certificate of nomination or  
16 election; or

17 (2) Knowingly provides false information on a certificate which  
18 must be filed with an elections officer under chapter 29A.20 RCW, is  
19 guilty of a class C felony punishable under RCW 9A.20.021.

20 NEW SECTION. Sec. 187. A new section is added to chapter 29A.04  
21 RCW to read as follows:

22 "September primary" means the primary election held in September to  
23 nominate candidates to be voted for at the ensuing election.

24 NEW SECTION. Sec. 188. A new section is added to chapter 29A.20  
25 RCW to read as follows:

26 A "convention" for the purposes of this chapter, is an organized  
27 assemblage of registered voters representing an independent candidate  
28 or candidates or a new or minor political party, organization, or  
29 principle. As used in this chapter, the term "election jurisdiction"  
30 shall mean the state or any political subdivision or jurisdiction of  
31 the state from which partisan officials are elected. This term shall  
32 include county commissioner districts or council districts for members  
33 of a county legislative authority, counties for county officials who  
34 are nominated and elected on a county-wide basis, legislative districts  
35 for members of the legislature, congressional districts for members of

1 Congress, and the state for president and vice president, members of  
2 the United States senate, and state officials who are elected on a  
3 statewide basis.

4 NEW SECTION. **Sec. 189.** A new section is added to chapter 29A.20  
5 RCW to read as follows:

6 Each minor party or independent candidate must publish a notice in  
7 a newspaper of general circulation within the county in which the party  
8 or the candidate intends to hold a convention. The notice must appear  
9 at least ten days before the convention is to be held, and shall state  
10 the date, time, and place of the convention. Additionally, it shall  
11 include the mailing address of the person or organization sponsoring  
12 the convention.

13 NEW SECTION. **Sec. 190.** A new section is added to chapter 29A.24  
14 RCW to read as follows:

15 If after both the normal filing period and special three day filing  
16 period as provided by sections 165 and 166 of this act have passed, no  
17 candidate has filed for any single city, town, or district position to  
18 be filled, the election for such position shall be deemed lapsed, the  
19 office deemed stricken from the ballot and no write-in votes counted.  
20 In such instance, the incumbent occupying such position shall remain in  
21 office and continue to serve until a successor is elected at the next  
22 election when such positions are voted upon.

23 NEW SECTION. **Sec. 191.** A new section is added to chapter 29A.28  
24 RCW to read as follows:

25 If a place on the ticket of a major political party is vacant  
26 because no person has filed for nomination as the candidate of that  
27 major political party, after the last day allowed for candidates to  
28 withdraw as provided by section 115 of this act, and if the vacancy is  
29 for a state or county office to be voted on solely by the electors of  
30 a single county, the county central committee of the major political  
31 party may select and certify a candidate to fill the vacancy. If the  
32 vacancy is for any other office the state central committee of the  
33 major political party may select and certify a candidate to fill the  
34 vacancy. The certificate must set forth the cause of the vacancy, the  
35 name of the person nominated, the office for which the person is

1 nominated, and other pertinent information required in an ordinary  
2 certificate of nomination and be filed in the proper office no later  
3 than the first Friday after the last day allowed for candidates to  
4 withdraw, together with the candidate's fee applicable to that office  
5 and a declaration of candidacy.

6 NEW SECTION. **Sec. 192.** A new section is added to chapter 29A.28  
7 RCW to read as follows:

8 A vacancy caused by the death or disqualification of any candidate  
9 or nominee of a major or minor political party may be filled at any  
10 time up to and including the day prior to the election for that  
11 position. For state partisan offices in any political subdivision  
12 voted on solely by electors of a single county, an individual shall be  
13 appointed to fill such vacancy by the county central committee in the  
14 case of a major political party or by the state central committee or  
15 comparable governing body in the case of a minor political party. For  
16 other partisan offices, including federal or statewide offices, an  
17 individual shall be appointed to fill such vacancy by the state central  
18 committee or comparable governing body of the appropriate political  
19 party.

20 If the vacancy occurs no later than the sixth Tuesday prior to the  
21 state primary or general election concerned and the ballots have been  
22 printed, it shall be mandatory that they be corrected by the  
23 appropriate election officers. In making such correction, it shall not  
24 be necessary to reprint complete ballots if any other less expensive  
25 technique can be used and the resulting correction is reasonably clear.

26 If the vacancy occurs after the sixth Tuesday prior to the state  
27 primary or general election and time does not exist in which to correct  
28 ballots (including absentee ballots), either in total or in part, then  
29 the votes cast or recorded for the person who has died or become  
30 disqualified shall be counted for the person who has been named to fill  
31 such vacancy.

32 When the secretary of state is the person with whom the appointment  
33 by the major or minor political party is filed, the secretary shall, in  
34 certifying candidates or nominations to the various county officers  
35 insert the name of the person appointed to fill a vacancy.

36 If the secretary of state has already sent forth the certificate  
37 when the appointment to fill a vacancy is filed, the secretary shall

1 forthwith certify to the county auditors of the proper counties the  
2 name and place of residence of the person appointed to fill a vacancy,  
3 the office for which the person is a candidate or nominee, the party  
4 the person represents, and all other pertinent facts pertaining to the  
5 vacancy.

6 NEW SECTION. **Sec. 193.** The following acts or parts of acts are  
7 each repealed:

8 (1) RCW 29A.04.007 (Ballot and related terms) and 2003 c 111 s 102,  
9 1994 c 57 s 2, 1990 c 59 s 2, & 1977 ex.s. c 361 s 1;

10 (2) RCW 29A.04.085 (Major political party) and section 3 of this  
11 act, 2003 c 111 s 115, 1977 ex.s. c 329 s 9, & 1965 c 9 s 29.01.090;

12 (3) RCW 29A.04.127 (Primary) and section 5 of this act & 2003 c 111  
13 s 122;

14 (4) RCW 29A.04.215 (County auditor--Duties--Exceptions) and 2003 c  
15 111 s 134, 1987 c 295 s 1, 1977 ex.s. c 361 s 2, 1971 ex.s. c 202 s 1,  
16 1965 c 123 s 1, & 1965 c 9 s 29.04.020;

17 (5) RCW 29A.04.310 (Primaries) and section 6 of this act, 2003 c  
18 111 s 143, 1977 ex.s. c 361 s 29, 1965 ex.s. c 103 s 6, & 1965 c 9 s  
19 29.13.070;

20 (6) RCW 29A.04.320 (State and local general elections--Statewide  
21 general election--Exceptions--Special county elections) and 2003 c 111  
22 s 144, 1994 c 142 s 1, 1992 c 37 s 1, 1989 c 4 s 9 (Initiative Measure  
23 No. 99), 1980 c 3 s 1, 1975-'76 2nd ex.s. c 111 s 1, 1975-'76 2nd ex.s.  
24 c 3 s 1, 1973 2nd ex.s. c 36 s 1, 1973 c 4 s 1, 1965 c 123 s 2, & 1965  
25 c 9 s 29.13.010;

26 (7) RCW 29A.04.610 (Rules by secretary of state) and 2003 c 111 s  
27 161, 1971 ex.s. c 202 s 2, & 1965 c 9 s 29.04.080;

28 (8) RCW 29A.12.100 (Requirements of tallying systems for approval)  
29 and 2003 c 111 s 310;

30 (9) RCW 29A.20.020 (Qualifications for filing, appearance on  
31 ballot) and section 7 of this act, 2004 c ... (Senate Bill No. 6417) s  
32 11, 2003 c 111 s 502, 1999 c 298 s 9, 1993 c 317 s 10, & 1991 c 178 s  
33 1;

34 (10) RCW 29A.20.120 (Nomination by convention or write-in--Dates--  
35 Special filing period) and section 8 of this act & 2003 c 111 s 506;

36 (11) RCW 29A.20.140 (Convention--Requirements for validity) and  
37 section 9 of this act & 2003 c 111 s 508;

- 1 (12) RCW 29A.20.150 (Nominating petition--Requirements) and section  
2 10 of this act & 2003 c 111 s 509;
- 3 (13) RCW 29A.20.160 (Certificate of nomination--Requisites) and  
4 section 11 of this act, 2003 c 111 s 510, 1989 c 215 s 4, 1977 ex.s. c  
5 329 s 4, & 1965 c 9 s 29.24.040;
- 6 (14) RCW 29A.20.170 (Multiple certificates of nomination) and  
7 section 12 of this act & 2003 c 111 s 511;
- 8 (15) RCW 29A.20.180 (Presidential electors--Selection at  
9 convention) and section 13 of this act & 2003 c 111 s 512;
- 10 (16) RCW 29A.20.190 (Certificate of nomination--Checking  
11 signatures--Appeal of determination) and section 14 of this act & 2003  
12 c 111 s 513;
- 13 (17) RCW 29A.24.030 (Declaration of candidacy) and section 15 of  
14 this act, 2003 c 111 s 603, 2002 c 140 s 1, & 1990 c 59 s 82.
- 15 (18) RCW 29A.24.080 (Declaration--Filing by mail) and section 17 of  
16 this act & 2003 c 111 s 608;
- 17 (19) RCW 29A.24.090 (Declaration--Fees and petitions) and section  
18 18 of this act & 2003 c 111 s 609;
- 19 (20) RCW 29A.24.100 (Nominating petition--Form) and section 19 of  
20 this act, 2003 c 111 s 610; & 1984 c 142 s 5;
- 21 (21) RCW 29A.24.110 (Petitions--Rejection--Acceptance, canvass of  
22 signatures--Judicial review) and section 20 of this act & 2003 c 111 s  
23 611;
- 24 (22) RCW 29A.24.130 (Withdrawal of candidacy) and 2003 c 111 s 613;
- 25 (23) RCW 29A.24.140 (Void in candidacy--Exception) and section 21  
26 of this act & 2003 c 111 s 614;
- 27 (24) RCW 29A.24.150 (Notice of void in candidacy) and section 22 of  
28 this act & 2003 c 111 s 615;
- 29 (25) RCW 29A.24.160 (Filings to fill void in candidacy--How made)  
30 and section 23 of this act, 2003 c 111 s 616, & 1972 ex.s. c 61 s 6;
- 31 (26) RCW 29A.24.170 (Reopening of filing--Before sixth Tuesday  
32 before primary) and section 24 of this act & 2003 c 111 s 617;
- 33 (27) RCW 29A.24.180 (Reopening of filing--After sixth Tuesday  
34 before primary) and section 25 of this act & 2003 c 111 s 618;
- 35 (28) RCW 29A.24.190 (Scheduled election lapses, when) and section  
36 26 of this act, 2003 c 111 s 619, 2002 c 108 s 1, 1975-'76 2nd ex.s. c  
37 120 s 12, & 1972 ex.s. c 61 s 4;

1 (29) RCW 29A.24.310 (Write-in voting--Candidates, declaration) and  
2 section 27 of this act, 2003 c 111 s 622, 1999 c 157 s 1, 1995 c 158 s  
3 1, 1990 c 59 s 100, & 1988 c 181 s 1;

4 (30) RCW 29A.28.040 (Congress--Special election) and section 29 of  
5 this act, 2003 c 111 s 704, 1990 c 59 s 105, 1985 c 45 s 4, 1973 2nd  
6 ex.s. c 36 s 3, & 1965 c 9 s 29.68.080;

7 (31) RCW 29A.28.060 (Congress--General, primary election laws to  
8 apply--Time deadlines, modifications) and section 30 of this act, 2003  
9 c 111 s 706, 1985 c 45 s 7, & 1965 c 9 s 29.68.130;

10 (32) RCW 29A.28.070 (Precinct committee officer) and 2003 c 111 s  
11 707;

12 (33) RCW 29A.32.030 (Contents) and section 31 of this act & 2003 c  
13 111 s 803;

14 (34) RCW 29A.32.120 (Candidates' statements--Length) and section 32  
15 of this act, 2004 c ... (Senate Bill No. 6417) s 12, 2003 c 254 s 6,  
16 2003 c 111 s 812, & 1999 c 260 s 11;

17 (35) RCW 29A.32.240 (Contents) and 2003 c 111 s 816 & 1984 c 106 s  
18 6;

19 (36) RCW 29A.36.010 (Certifying primary candidates) and section 33  
20 of this act & 2003 c 111 s 901;

21 (37) RCW 29A.36.070 (Local measures--Ballot title--Formulation--  
22 Advertising) and section 34 of this act & 2003 c 111 s 907;

23 (38) RCW 29A.36.100 (Names on primary ballot) and section 35 of  
24 this act, 2003 c 111 s 910, & 1990 c 59 s 93;

25 (39) RCW 29A.36.110 (Uniformity, arrangement, contents required)  
26 and 2003 c 111 s 911;

27 (40) RCW 29A.36.120 (Order of offices and issues--Party indication)  
28 and 2003 c 111 s 912;

29 (41) RCW 29A.36.130 (Order of candidates on ballots) and 2003 c 111  
30 s 913;

31 (42) RCW 29A.36.140 (Primaries--Rotating names of candidates) and  
32 2003 c 111 s 914;

33 (43) RCW 29A.36.150 (Sample ballots) and 2003 c 111 s 915;

34 (44) RCW 29A.36.160 (Arrangement of instructions, measures,  
35 offices--Order of candidates--Numbering of ballots) and 2003 c 111 s  
36 916, 1990 c 59 s 13, 1986 c 167 s 11, 1982 c 121 s 1, & 1977 ex.s. c  
37 361 s 60;

1 (45) RCW 29A.36.170 (Nonpartisan candidates qualified for general  
2 election) and section 36 of this act, 2004 c ... (Senate Bill No. 6518)  
3 s 1, & 2003 c 111 s 917;

4 (46) RCW 29A.36.200 (Names qualified to appear on election ballot)  
5 and section 37 of this act & 2003 c 111 s 920;

6 (47) RCW 29A.40.060 (Issuance of ballot and other materials) and  
7 2003 c 111 s 1006, 2001 c 241 s 6, & 1991 c 81 s 31;

8 (48) RCW 29A.40.090 (Envelopes and instructions) and 2003 c 111 s  
9 1009;

10 (49) RCW 29A.44.200 (Issuing ballot to voter--Challenge) and 2003  
11 c 111 s 1119, 1990 c 59 s 40, & 1965 c 9 s 29.51.050;

12 (50) RCW 29A.44.220 (Casting vote) and 2003 c 111 s 1121, 1990 c 59  
13 s 43, 1988 c 181 s 4, 1965 ex.s. c 101 s 15, & 1965 c 9 s 29.51.100;

14 (51) RCW 29A.44.230 (Record of participation) and 2003 c 111 s  
15 1122;

16 (52) RCW 29A.52.010 (Elections to fill unexpired term--No primary,  
17 when) and section 38 of this act & 2003 c 111 s 1301;

18 (53) RCW 29A.52.110 (Application of chapter) and section 39 of this  
19 act & 2003 c 111 s 1302;

20 (54) RCW 29A.52.120 (General election laws govern primaries) and  
21 2003 c 111 s 1303;

22 (55) RCW 29A.52.230 (Nonpartisan offices specified) and section 41  
23 of this act & 2003 c 111 s 1307;

24 (56) RCW 29A.52.310 (Notice of primary) and 2003 c 111 s 1309 &  
25 1965 c 9 s 29.27.030;

26 (57) RCW 29A.52.320 (Certification of nominees) and section 42 of  
27 this act & 2003 c 111 s 1310;

28 (58) RCW 29A.52.350 (Election--Certification of measures) and  
29 section 43 of this act, 2003 c 111 s 1313, 1999 c 4 s 1, 1984 c 106 s  
30 12, 1980 c 35 s 8, & 1965 c 9 s 29.27.080;

31 (59) RCW 29A.60.020 (Write-in voting--Declaration of candidacy--  
32 Counting of vote) and section 44 of this act & 2003 c 111 s 1502;

33 (60) RCW 29A.60.220 (Tie in primary or final election) and section  
34 45 of this act, 2003 c 111 s 1522, & 1965 c 9 s 29.62.080;

35 (61) RCW 29A.64.010 (Application--Requirements--Application of  
36 chapter) and section 46 of this act, 2003 c 111 s 1601, 2001 c 225 s 3,  
37 1987 c 54 s 3, 1977 ex.s. c 361 s 98, & 1965 c 9 s 29.64.010;

1 (62) RCW 29A.64.020 (Mandatory) and section 47 of this act & 2003  
2 c 111 s 1602;

3 (63) RCW 29A.64.040 (Procedure--Observers--Request to stop) and  
4 section 48 of this act & 2003 c 111 s 1604;

5 (64) RCW 29A.64.060 (Amended abstracts) and section 49 of this act  
6 & 2003 c 111 s 1606;

7 (65) RCW 29A.64.080 (Expenses--Charges) and section 50 of this act  
8 & 2003 c 111 s 1608;

9 (66) RCW 29A.68.010 (Prevention and correction of election frauds  
10 and errors) and section 51 of this act & 2003 c 111 s 1701;

11 (67) RCW 29A.80.010 (Authority--Generally) and section 52 of this  
12 act, 2003 c 111 s 2001, 1977 ex.s. c 329 s 16, & 1965 c 9 s 29.42.010;

13 (68) RCW 29A.80.040 (Precinct committee officer, eligibility) and  
14 2003 c 111 s 2004;

15 (69) RCW 29A.80.050 (Precinct committee officer--Election--  
16 Declaration of candidacy, fee--Term) and 2003 c 111 s 2005, 1991 c 363  
17 s 34, 1987 c 295 s 14, 1973 c 4 s 7, 1967 ex.s. c 32 s 2, 1965 ex.s. c  
18 103 s 3, & 1965 c 9 s 29.42.050;

19 (70) RCW 29A.80.060 (Legislative district chair--Election--Term--  
20 Removal) and 2003 c 111 s 2006, 1991 c 363 s 35, 1987 c 295 s 15, &  
21 1967 ex.s. c 32 s 1;

22 (71) RCW 29A.84.260 (Petitions--Improperly signing) and section 53  
23 of this act & 2003 c 111 s 2114;

24 (72) RCW 29A.84.310 (Candidacy declarations, nominating petitions)  
25 and section 54 of this act & 2003 c 111 s 2117;

26 (73) RCW 29A.84.710 (Documents regarding nomination, election,  
27 candidacy--Frauds and falsehoods) and section 55 of this act, 2003 c  
28 111 s 2137, 1991 c 81 s 8, & 1965 c 9 s 29.85.100;

29 (74) Section 1 of this act;

30 (75) Section 2 of this act;

31 (76) Section 4 of this act;

32 (77) Section 28 of this act; and

33 (78) Section 40 of this act.

34 **PART 3 - MISCELLANEOUS PROVISIONS**

35 **\*NEW SECTION. Sec. 201. Sections 102 through 193 of this act take**

1 **effect the June 1st following the secretary of state issuing a**  
2 **notification that no qualifying primary may be held in this state.**  
*\*Sec. 201 was vetoed. See message at end of chapter.*

3 NEW SECTION. **Sec. 202.** The code reviser shall correct any  
4 internal references accordingly if sections 102 through 193 of this act  
5 take effect.

6 NEW SECTION. **Sec. 203.** Part headings used in this act are not any  
7 part of the law.

8 NEW SECTION. **Sec. 204.** If any provision of this act or its  
9 application to any person or circumstance is held invalid, the  
10 remainder of the act or the application of the provision to other  
11 persons or circumstances is not affected.

12 NEW SECTION. **Sec. 205.** Except for sections 102 through 193 of  
13 this act, this act is necessary for the immediate preservation of the  
14 public peace, health, or safety, or support of the state government and  
15 its existing public institutions, and takes effect immediately.

Passed by the Senate March 10, 2004.

Passed by the House March 8, 2004.

Approved by the Governor April 1, 2004, with the exception of  
certain items that were vetoed.

Filed in Office of Secretary of State April 1, 2004.