



Secretary of State

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Filing for Office

Clearinghouse Elections Notice

Issue #19-03

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This Clearinghouse is reissued to reflect legislative changes in Senate Bill 6058 and replaces Clearinghouse #14-01 issued April 22, 2014

This notice explains timelines and procedures, vacancies in office, voids in candidacy, special filing periods and lapsed elections.

Timelines and Procedures for Candidate Filing

No later than February 1, County Auditors must send questionnaires to local jurisdictions confirming information needed to conduct candidate filings for the next General Election. The questionnaire must be sent during the twelve months before the local jurisdiction is scheduled to elect officers. The questionnaire should request a reply by March 1. (WAC 434-215-005)

Candidate Filing Week begins the Monday two weeks before Memorial Day. The County Auditor's Office may maintain regular business hours during that week, but must be able to accept filings Monday through Friday. (RCW 29A.24.050)

Online filing opens Monday at 9:00 a.m. and closes Friday at 4:00 p.m. If a county offers online filing, the county must observe these hours. (RCW 29A.24.040)

Candidates may submit declarations of candidacy and withdrawal requests electronically. The submitted information must be signed, timely, legible, and satisfy all legal requirements. (RCW 29A.04.255 and WAC 434-208-060(h)) If payment of a fee is required, the filing is not complete until the fee is received. (WAC 434-208-060(2))

Counties that accept filings for state offices must electronically transmit all information on the Declaration of Candidacy to the Secretary of State the same day a filing is accepted. (WAC 434-215-040)

Counties accept filings by mail beginning 10 business days before the opening of filing week. (RCW 29A.24.081) Filings submitted by mail are retained for processing until filing opens for all candidates.

All candidate filing [forms](#), including the declaration for Precinct Committee Officer (PCO), are available to download and print on demand. PCOs do not pay a filing fee.

Candidates who submit filing fee petitions must provide all original signatures upon initial submission and may not supplement the signatures later. (WAC434-215-025)

Filing officers must receive signed withdrawal requests from candidates no later than the close of business on Monday following Candidate Filing Week. (RCW 29A.24.131)

The Secretary of State must certify candidates for the Primary by the Tuesday following Candidate Filing Week. (RCW 29A.36.010)

For write-in candidates, consult the “Write-in Voting” Clearinghouse.

Vacancies in Office (RCW 29A.24.171)

Different actions are required depending upon the *type* of office vacated and *when* the vacancy takes effect. The *effective date* of the vacancy determines when the office will appear on the General Election ballot. Vacancies occurring in partisan and nonpartisan offices are subject to the candidate filing requirements for the next election at which that jurisdiction is permitted to hold an election. (RCW 29A.04.321(1), 29A.04.330(1), 42.12.040 and 42.12.070)

The following procedures do not apply to federal offices or PCO vacancies.

If the vacancy goes into effect before the first day of Candidate Filing Week:

- The office will be open for filing during Candidate Filing Week if that jurisdiction is permitted to hold an election that year.
- Notice of the vacancy and filing period must be made to the media and online.
- The position will appear on the Primary (when applicable) and General Election ballot.

Example 1: A state Senator resigns on May 1, 2019, for a term that ends in 2020. Because the vacancy takes effect prior to the start of Candidate Filing Week, the partisan position opens for filing during the regular filing period and the race appears on both Primary and General Election ballots.

Example 2: A city council member resigns on May 1, 2018, for a term that ends in 2021. Even though the vacancy occurs prior to the first day of Candidate Filing Week, a city council vacancy can only be filled by election in years that other city council positions are scheduled to appear on the ballot (odd-numbered years).

(RCW 29A.04.321 and 29A.04.330) The nonpartisan position is filled by appointment and opened for candidate filing in 2019.

Some races skip the primary and go directly to the General Election ballot depending upon the number of candidates filing and whether the office is partisan or not.

Nonpartisan races may be allowed to skip the Primary and appear only on the General Election ballot when, after the last day to withdraw, there are no more than two candidates filed for the position. (RCW 29A.52.220) This exception applies to nonpartisan offices specified in RCW 29A.52.231 to include the Superintendent of Public Instruction and all judges. Refer to the OSOS chart, [Judicial Elections in Washington State](#).

Example 3: A superior court judge resigns on May 1, 2018, for a term that ends in 2020. Because the vacancy occurs prior to the start of Candidate Filing Week, the position is opened for filing during the regular filing week in 2018. If *more* than two candidates file, the race will appear on both Primary and General Election ballots. If *only* two candidates file, RCW 29A.52.220 states that there is no Primary for this unexpired term and the race appears only on the General Election ballot.

Partisan offices participate in the primary preceding the general. In 2014, the legislature amended RCW 29A.52.112 to provide an exception for any single county partisan office filling an unexpired term if, after the last day allowed for candidates to withdraw, only one candidate has filed for the position. In that case, the race may skip the primary and go directly to the general. For more information, consult the “Partisan Primaries” Clearinghouse.

Example 4: A county clerk resigns in February of 2019. The position opens during the regular candidate filing period for a 3-year unexpired term. Only one candidate files. According to RCW 29A.52.112(3) this race skips the Primary. The position meets all requirements for a partisan office to skip the Primary because it is an unexpired county race with a single candidate.

If the vacancy is effective on or after the Monday of Candidate Filing Week, the vacated office is filled by appointment until the next General Election at which the office may appear on the ballot.

Example 5: A state Senator resigns on July 1, 2018, for a term that ends in 2020. Because the vacancy occurs after the start of Candidate Filing Week, it is too late for the partisan position to appear on the ballot in 2018. The vacancy is filled by appointment and is opened for candidate filing in 2019 as a one-year unexpired term.

Example 6: A city council member resigns on July 1, 2019, for a term that ends in 2021. Because the vacancy occurs after the start of filing week, it is too late for the nonpartisan position to appear on the ballot in 2019. The vacancy is filled by

appointment for two years and is opened for candidate filing in 2021 as a short and full term.

When the Filing Officer is not notified of a vacancy that went into effect before Candidate Filing Week, managing the vacancy depends upon *when* the filing officer is notified. (WAC 434-215-005)

- If notified **before** the close of business on Tuesday of filing week – the vacancy will open immediately for the remaining three days of candidate filing week. Information must be posted online and the press must be notified.
- If notified **after** the Tuesday of filing week, treat the vacancy like a void in candidacy with a special 3-day filing period. All candidates who file will appear on the General Election ballot and the top vote-getter is declared the winner. (RCW 29A.24.181 and 42.12.040)

Voids in Candidacy (RCW 29A.24.141 and 181)

Voids in candidacy only occur **after the close** of filing week for the following reasons:

- No candidate has filed for an office; or
- All candidates who filed have died, withdrawn, or been disqualified.

As long as there remains a single candidate for the office, there is no void in candidacy.

With the exception of PCO, a void in partisan or nonpartisan office that occurs before the Primary requires the opening of a special 3-day filing period.

Special Filing Periods (RCW 29A.24.181)

When a special 3-day filing period is conducted to fill a void in candidacy:

- Media must be notified;
- Notice of the special filing period must be posted online;
- All the rules for regular filing apply to special filing periods, including filing by mail and online;
- Candidates may not withdraw at any time;
- The race will appear only on the **General Election** ballot, no matter how many candidates file for the office; and
- The top vote-getter in the General Election is declared the winner.

If no one files for an office opened for a special filing period, the office is deemed lapsed and will not appear on the General Election ballot. (RCW 29A.24.191)

Example: The only candidate who filed for School Director District 1 withdraws on Monday after filing week. The County Auditor announces to the press and radio in the county that the position for School Director District 1 will reopen for filing during a special 3-day filing period. Three people file. All three names will appear on the

General Election ballot because:

- A void in candidacy occurred when the single candidate withdrew; and
- The void in candidacy occurred after the beginning of Candidate Filing Week.

The top vote-getter will be declared the winner.

Lapsed Elections (RCW 29A.24.191 and 29A.24.201)

If no candidate files for an office during the special filing period, an additional filing period will not be opened. The office will be up for election at the next general election held for that jurisdiction. For city, town or district lapsed positions, the incumbent will continue to serve until a successor is elected.