

Primary-only Voters

Elections Clearinghouse Notice

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Engrossed Senate Bill 6313 (ESB 6313), passed in 2020, increases opportunities for young voters by allowing 17-year-old registrants to vote in primaries and participate in selecting the candidates qualified to appear on the ballot in the following general election.

Persons signed up to register to vote are eligible to vote in state and local primaries and presidential primaries if they are 17 years of age on the day of the primary and will be 18 years of age on or before the day of the associated subsequent November general election.

The requirements for 17-year-olds who are eligible to vote in primaries, referred to as **primary-only voters**, are found in RCW 29A.08.170, RCW 29A.04.061 and WAC 434-232-110 through -040.

This Clearinghouse outlines the terminology and procedure used for implementing this new opportunity for young voters.

Primary-only Voter Registration

Primary-only voter means a voter who is 17 years of age on the day of the primary and will reach the age of 18 on or before the date of the following November general election. Primary-only voters are only authorized to participate in primary elections and prohibited from participating in any special or general election even if those elections are held on the same day as a primary.

Example 1: A 17-year-old who has registered as part of the future voter program will turn 18 on October 15th. This voter is 17 years old at the primary and will be 18 years old on or before the date of the following November general election, so they are a primary-only voter.

Example 2: A 17-year-old who is registered as part of the future voter program will turn 18 on November 15th. Though this voter is 17 years old at the primary they will not be 18 years old on or before the date of the following November general election, so they are not a primary-only voter.

Voter Registration Notices – 90 days Prior to Primary

Do not send correspondence or voter registration notices to primary-only voters until such time as they are considered registered voters. WAC establishes the beginning of this time period as “no earlier than 90 days before the primary that they are eligible to participate in”.

Voter registration notices and correspondence include, but are not limited to:

- Verification notices
- Acknowledgement notices
- Identification notices
- Confirmation notices

Balloting for Primary-only Voters

In accordance with RCW 29A.40.070, ballots are issued to primary-only voters at least 18 days prior to a primary in which they are eligible to vote. Primary-only voters may also have service or overseas (UOCAVA) voter status. As with all UOCAVA voters, ballots issued to service and overseas primary-only voters are sent at least 45 days prior to the date of the primary.

Primary-only voters are eligible to participate solely in races subject to the *primary* process for winnowing candidates to a final list of two. Ballots issued to primary-only voters shall contain only the contests they are eligible to vote in.

Contests prohibited to primary-only voters means the following contests, even when held in conjunction with a primary: any ballot measure; or any contest where a candidate is deemed elected following the primary including, but not limited to, election of precinct committee officer, freeholder, charter review, and commissioners elected to a newly formed jurisdiction.

Example 3: A 17-year-old who has registered to vote will be 18 years old by the day of the general election and is therefore a primary-only voter. For the August Primary, there will be three different contests on the ballot: a partisan primary race, a school levy measure, and a precinct committee officer race. Both the school levy measure and the precinct committee officer race are prohibited for the primary-only voter to vote on and should not appear on ballots issued to primary-only voters.

Contests subject to participation by primary-only voters means the following contests: nonpartisan candidate races that contain three or more candidates appearing on a primary ballot; partisan candidate races, regardless of the number of candidates, appearing on a primary ballot; and the presidential primary as described in chapter 29A.56 RCW regardless of the number of presidential candidates appearing on the ballot.

Example 4: Using example 1 above, a primary-only voter is only eligible to vote on the partisan primary contest because no candidate will be deemed elected at the certification of the primary. The candidate will be deemed elected at the certification of the general election.

Contests prohibited to primary-only voters	Contests subject to participation by primary-only voters
<ul style="list-style-type: none"> • ballot measures • contests where a candidate is deemed elected at the primary <ul style="list-style-type: none"> ○ precinct committee officer ○ freeholder ○ charter review ○ commissioners elected to a newly formed jurisdiction 	<ul style="list-style-type: none"> • nonpartisan candidate races that contain three or more candidates appearing on a primary ballot • partisan candidate races, regardless of the number of candidates, appearing on a primary ballot • presidential primary

Table 1: Summary of contests prohibited to and subject to participation by primary-only voters.

Standard primary ballots are ballots issued to all voters who are at least 18 years of age on the date of the primary and contain all applicable contests for that ballot style.

Primary-only voter ballots are ballots issued to primary-only voters that contain only contests subject to participation by primary-only voters and do not include contests prohibited to primary-only voters.

When a contest prohibited to primary-only voters is held on the date of the primary, county election offices must issue primary-only voter ballots to primary-only voters. County election offices must not issue standard primary ballots to primary-only voters when prohibited contests are included on the ballot.

A standard primary ballot can be issued to a primary-only voter only if there are no contests prohibited to primary-only voters on the ballot.

Example 5: Based on a household address there are three contests that will be on that ballot style for the primary: a partisan primary, a non-partisan primary of three candidates and a fire district bond measure.

A primary-only voter ballot will only contain the two contests that they are eligible for, the partisan and non-partisan primaries. It will not contain the contest they are not eligible for, the fire district bond measure.

A standard primary ballot will contain all three contests and must not be issued to a primary-only voter.

Standard primary ballot	Primary-only voter ballot
<ul style="list-style-type: none"> • Partisan primary contest • Non-partisan primary contest • Fire district bond measure 	<ul style="list-style-type: none"> • Partisan primary contest • Non-partisan primary contest

Table 2: Example differences between standard primary ballot and primary-only voter ballot in Example 5.

Example 6: Based on a household address there are four contests that will be on that ballot style for the primary: three partisan primaries and one non-partisan primary of three candidates.

In this example, there are no contests that are prohibited to a primary-only voter. Primary-only voters are eligible to vote on all four contests. A primary-only voter can be issued a standard primary ballot.

Standard primary ballot	Primary-only voter ballot (same)
<ul style="list-style-type: none"> • Partisan primary contest 1 • Partisan primary contest 2 • Partisan primary contest 3 • Non-partisan primary contest 	<ul style="list-style-type: none"> • Partisan primary contest 1 • Partisan primary contest 2 • Partisan primary contest 3 • Non-partisan primary contest

Table 3: Example differences between standard primary ballot and primary-only voter ballot in Example 6.

Disclosure

Voter Registration Information:

All data from the voter registration record for those under 18 years old is exempt from disclosure.

Ballot Issuance and Return Information:

Auditors shall provide a record of all voters issued a ballot and all voters who returned a ballot but shall exempt personal identifiable information (PII) of voters under 18 years old from disclosure. PII includes the date of birth, gender, and address of a voter.

The ballot issuance and return information is subject to public disclosure at the time of ballot issuance by the county auditor for a primary that the voter is eligible to participate in.

When a person is eligible to participate in an election, the date of birth, gender, and address of the person is exempt from disclosure when providing ballot issuance and return information in accordance with RCW 29A.40.130 until they are **18 years of age**.

Primary-only Voters'	Exempt Information	Disclosable Information
Voter Registration Record	<ul style="list-style-type: none"> • Everything 	<ul style="list-style-type: none"> • Nothing
Ballot Issuance and Return Information:	<ul style="list-style-type: none"> • Date of birth • Gender • Address including city, state, and zip field 	Including, but not limited to: <ul style="list-style-type: none"> • Name • Ballot ID • Voter ID • Ballot status • Challenge reason • Sent date • Received date

Table 4: Summary of exempt and disclosable information for primary-only voters.

Glossary

Ballot measure for the purposes of this chapter means any question put forth for voting that involves a yes/no or approve/disapprove response. This includes but is not limited to; any bond election; tax levy proposition; election to form, dissolve, or annex territory into a district or municipality; charter adoption, amendment, or abandonment; initiative; referendum; advisory vote; or any issue characterized by finalization of the question.