
HOUSE BILL 1510

State of Washington

63rd Legislature

2013 Regular Session

By Representative Appleton

Read first time 01/29/13. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to write-in voting; and amending RCW 29A.24.311 and
2 29A.60.021.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 29A.24.311 and 2012 c 89 s 2 are each amended to read
5 as follows:

6 (1) Any person who desires to be a write-in candidate and have such
7 votes counted at a primary or election (~~((may))~~) must file a declaration
8 of candidacy with the officer designated in RCW 29A.24.070 not later
9 than (~~((the))~~) eighteen days (~~((ballots must be mailed according to RCW
10 29A.40.070))~~) before the primary or election. Declarations of candidacy
11 for write-in candidates must be accompanied by a filing fee in the same
12 manner as required of other candidates filing for the office as
13 provided in RCW 29A.24.091.

14 (2) Votes cast for write-in candidates who have filed such
15 declarations of candidacy and write-in votes for persons appointed by
16 major political parties pursuant to RCW 29A.28.021 need only specify
17 the name of the candidate in the appropriate location on the ballot in
18 order to be counted. (~~((Write in votes cast for any other candidate, in~~

1 ~~order to be counted, must designate the office sought and position~~
2 ~~number or political party, if the manner in which the write-in is done~~
3 ~~does not make the office or position clear.))~~

4 (3) No person may file as a write-in candidate where:

5 (a) At a general election, the person attempting to file either
6 filed as a write-in candidate for the same office at the preceding
7 primary or the person's name appeared on the ballot for the same office
8 at the preceding primary;

9 (b) The person attempting to file as a write-in candidate has
10 already filed a valid write-in declaration for that primary or
11 election, unless one or the other of the two filings is for the office
12 of precinct committeeperson;

13 (c) The name of the person attempting to file already appears on
14 the ballot as a candidate for another office, unless one of the two
15 offices for which he or she is a candidate is precinct committeeperson;

16 (d) The office filed for is committee precinct officer.

17 (4) The declaration of candidacy shall be similar to that required
18 by RCW 29A.24.031. No write-in candidate filing under this section may
19 be included in any voter's pamphlet produced under chapter 29A.32 RCW
20 unless that candidate qualifies to have his or her name printed on the
21 general election ballot. The legislative authority of any jurisdiction
22 producing a local voter's pamphlet under chapter 29A.32 RCW may
23 provide, by ordinance, for the inclusion of write-in candidates in such
24 pamphlets.

25 **Sec. 2.** RCW 29A.60.021 and 2012 c 89 s 4 are each amended to read
26 as follows:

27 (1) For any office, except precinct committee officer, at any
28 election or primary, any voter may write in on the ballot the name of
29 any person for an office who has filed as a write-in candidate for the
30 office in the manner provided by RCW 29A.24.311 and such vote shall be
31 counted the same as if the name had been printed on the ballot and
32 marked by the voter. ~~((No))~~ Write-in votes ~~((made))~~ for any person who
33 has not filed a declaration of candidacy pursuant to RCW 29A.24.311
34 ~~((is))~~ are not valid ~~((if that person filed for the same office, either~~
35 ~~as a regular candidate or a write-in candidate, at the preceding~~
36 ~~primary))~~. Any abbreviation used to designate office or position will

1 be accepted if the canvassing board can determine, to its satisfaction,
2 the voter's intent.

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

5 (3) A write-in vote for an individual candidate for an office whose
6 name appears on the ballot for that same office is a valid vote for
7 that candidate as long as the candidate's name is clearly discernible,
8 even if other requirements of RCW 29A.24.311 are not satisfied and even
9 if the voter also marked a vote for that candidate such as to register
10 an overvote. These votes need not be tabulated unless: (a) The
11 difference between the number of votes cast for the candidate
12 apparently qualified to appear on the general election ballot or
13 elected and the candidate receiving the next highest number of votes is
14 less than the sum of the total number of write-in votes cast for the
15 office plus the overvotes and undervotes recorded by the vote
16 tabulating system; or (b) a manual recount is conducted for that
17 office.

18 (4) Write-in votes cast for an individual candidate for an office
19 whose name does not appear on the ballot need not be tallied unless the
20 total number of write-in votes and undervotes recorded by the vote
21 tabulation system for the office is greater than the number of votes
22 cast for the candidate apparently qualified to appear on the general
23 election ballot or elected.

24 (5) In the case of write-in votes for a statewide office or any
25 office whose jurisdiction encompasses more than one county, write-in
26 votes for an individual candidate must be tallied when the county
27 auditor is notified by either the secretary of state or another county
28 auditor in the multicounty jurisdiction that it appears that the write-
29 in votes must be tabulated under the terms of this section. In all
30 other cases, the county auditor determines when write-in votes must be
31 tabulated. Any abstract of votes must be modified to reflect the
32 tabulation and certified by the canvassing board. Tabulation of write-
33 in votes may be performed simultaneously with a recount.

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