

Missing Signatures or Party Choice Declarations

Presidential Primary 2024 Advisory #03

October 3, 2023

Each registered voter wishing to participate in the Presidential Primary must return, mark, **and** sign a political party declaration. ([WAC 434-219-230](#))

FWAB exception: A party selection on a Federal Write-in Absentee Ballot form (FWAB) substitutes for the political party declaration. ([WAC 434-219-230\(3\)](#)) (See [Clearinghouse #20-03: Service and Overseas Voters.](#))

A Second Chance for Voters

When the voter does not select a party declaration on the return ballot envelope, we view this oversight as unintentional.

The County Auditor sends a [Missing Signature/Party Choice Presidential Primary Form](#), also known as the “Missing Signature/Party Choice Form,” and provides the voter with a second chance to participate. The Auditor must send **at least** one notice to the voter and advise the voter of the correct procedures for completing the declaration. ([WAC 434-219-230\(3\)](#))

In some cases, the County Auditor must attempt to call the voter. (See the *Procedures for Curing Ballots* section.)

A **signed** envelope with both party declarations marked is **not** unintentional and must be sent to the canvassing board for rejection. ([WAC 434-219-235\(1\)\(a\)\(i\)](#))

The Missing Signature/Party Choice Presidential Primary Form

The [Missing Signature/Party Choice Presidential Primary Form](#) is sent by the County Auditor to a voter who fails to mark a political party and/or sign the declarations. ([WAC 434-219-230\(3\)](#))

Similar to the return envelope, the Missing Signature/Party Choice Form contains the standard ballot declaration and both political party declarations. The form does **not** contain a voter registration declaration and **cannot** be used to update signatures on the voter’s record.

Declarations on the form must comply with WACs [434-219-155](#), [434-230-015](#), and [434-261-050](#).

The voter’s first completed (returned, marked, and signed) declaration qualifies a ballot for further processing. Previously received incomplete declarations (from the ballot envelope) cannot be combined with another incomplete declaration (from the Missing Signature/Party

Choice Form) to create a complete declaration. All elements of a completed declaration must be present on the same document.

The voter must complete the declaration and return the Missing Signature/Party Choice Form to the appropriate county elections office no later than the day before certification of the Presidential Primary.

- March 21, 2024 – Deadline for voters to return Missing Signature/Party Choice forms.
- March 22 – County Auditor certifies results.
- March 29 – Secretary of State certifies final results.

Sort First

Before signatures are validated on return envelopes, ballots are sorted according to the marked (or unmarked) political party declaration. The sorting process may vary somewhat depending upon the county's sorting plan.

For an illustration of the general process, see the *Presidential Primary Ballot Processing Flowchart*.

In addition to reviewing the marked party declarations for sorting purposes, it will be necessary to further examine all returned envelopes for **unsigned** declarations.

Is something missing?

Send the Missing Signature/Party Choice Form whenever something is **missing** on the return envelope—a declaration mark and/or a signature.

Procedures for Curing Ballots

The County Auditor's next step depends upon **why** the declaration is considered incomplete. The following procedures and reference table explain when County Auditors must send a Missing Signature/Party Choice Form, make a phone call, or refer a ballot to the Canvassing Board.

- **Ready to process.** Did the voter mark one of the party declarations and sign? If so, the ballot declaration is complete and ready for signature verification.
- **Party box unmarked.** Did the voter fail to **mark** a party declaration? If so, the ballot declaration is incomplete. A Missing Signature/Party Choice Form must be sent **at least** once, but a phone call is not required. The signature supplied on the returned form is the signature used to check against the voter registration record. ([WAC 434-219-230\(3\)](#))
- **Missing signature.** Did the voter fail to **sign** the declarations (with or without a party mark)? If so, the ballot declaration is incomplete. **At least** one Missing Signature/Party Choice Form must be sent. If the voter does not respond within 3 days before the


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Canvassing Board certifies the election, the County Auditor **must** also follow up with a phone call. ([RCW 29A.60.165](#))

- **Modified declaration.** Did the voter **modify** a party name or declaration of the political party marked? If so, the ballot declaration is considered unmarked and incomplete. A Missing Signature/Party Choice Form must be sent. ([WAC 434-219-235\(2\)](#))
- **Corrected declaration.** Did the voter attempt to correct a political party mark? Corrections are resolved in the same manner as corrected marks made on a ballot. If the voter’s intent is unclear, the Canvassing Board will consider the voter’s intent. ([WAC 434-219-235\(3\)](#))
- **Both parties marked and unsigned.** Did the voter mark both political party declarations but leave the ballot envelope unsigned? If so, the ballot declaration is considered unmarked and incomplete. A Missing Signature/Party Choice Form must be sent.
- **Both parties marked and signed.** Did the voter mark **both** political party declarations and sign? If so, the ballot must be referred directly to the County Canvassing Board. In this case only, the ballot is referred for rejection and a Missing Signature/Party Choice Form is not sent. ([WAC 434-219-235\(1\)\(a\)\(i\)](#))

Procedures for incomplete declarations.	Send Missing Signature/Party Choice Form	Call required (when no response from voter is received)	No call required	Refer directly to Canvassing Board
Missing signature (unsigned)?	•	•		
Missing party mark only?	•		•	
Missing both a signature and a party mark?	•	•		
Contains signature & both party boxes are marked?			•	•
Modified name or declaration of marked political party?	•		•	

For an illustration of curing incomplete declarations, see the OSOS 2024 *Missing Signature/Party Choice Presidential Primary Forms Flowchart*.

When a Signature Does Not Match – Follow Normal Procedures

The elections department checks and verifies a signature after receiving the voter's completed declarations.

Follow normal procedures for signatures that do not match the voter's registration record. ([WAC 434-261-050](#))

The [County Auditor's form for signature updates](#) (no match/mismatch/miscompare) does not change for the Presidential Primary. Also known as the "Signature Update" form, it will **not** request the voter to sign and mark political party declarations.

- If the signature on the returned signature update form matches the signature on the declarations, accept the ballot and update the voter registration record.
- If the signature on the returned signature update form does not match the signature on the declarations, the ballot cannot be counted. Do not credit the voter.

Keeping a Record

[WAC 434-261-050\(9\)](#) requires the elections department to retain a record of all ballots with missing and mismatched signatures. The record must contain the date on which the voter was contacted or the notice was mailed, as well as the date the voter subsequently submitted a signature to cure the missing signature, mismatched signature, or incomplete declaration.

Visual Aids and Resources

To help your elections department develop a plan for sorting and processing, we've provided these additional reference materials.

- Missing Signature/Party Choice Presidential Primary Form
- 2024 Presidential Primary Ballot Processing Flowchart
- 2024 Missing Signature/Party Choice Presidential Primary Form Flowchart
- Practice Sort Activity (video, practice ballots, and practice envelopes)

Please visit the [Election Administrators Resources Portal](#) for current training materials and the Office of the Secretary of State's [Presidential Primary Advisory Program](#).

For questions about administering Washington State's 2024 Presidential Primary Election, please contact the Certification and Training Program at (360) 902-4180 or CTsupport@sos.wa.gov.