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### 3.1 WHEN ARE ELECTIONS HELD?

RCW 29A.04 & 29A.52

#### TYPES OF ELECTIONS

##### PRIMARY

- Held the 1st Tuesday in August.

A primary reduces the number of candidates in a race to a final list of two for the general. Voters may vote on any candidate in a race.

Nonpartisan races skip the Primary to appear only on the General Election ballot when:

- A race for a cemetery or a park and recreation district (other than a metropolitan park district).
- There are more than two candidates. This applies to all nonpartisan positions, including Superintendent of Public Instruction and judicial offices.

*ⓘ Partisan races have a primary regardless of the number of candidates filed unless the office is an unexpired county race.*

##### GENERAL ELECTION

Held the 1<sup>st</sup> Tuesday after the 1<sup>st</sup> Monday in November.

A general election is an election scheduled for a fixed date at regular intervals for a specific purpose, such as electing the officers for any of these jurisdiction types.

- Federal
- State
- Counties
- Municipalities
- Special purpose districts

*ⓘ If a voter must own land to participate in a district election there may be a different election date. Refer to the RCW title specific to the jurisdiction.*

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## SPECIAL ELECTION

A special election is when issues or races, not regularly scheduled, may appear on the ballot. There are four dates available for special elections.

- February - 2<sup>nd</sup> Tuesday
- April - 4<sup>th</sup> Tuesday
- August (Primary) - 1<sup>st</sup> Tuesday
- November (General) - 1<sup>st</sup> Tuesday after 1<sup>st</sup> Monday

Issues concerning levies, bonds, levy lid lifts, annexations, changes in government structure, and even advisory issues may appear on the ballot on any of these dates.

## WHAT TRIGGERS A SPECIAL ELECTION?

A county or district submits a resolution to the County Auditor by the deadline specific to the election. District law may have different deadlines. Refer to the specific district RCW title.

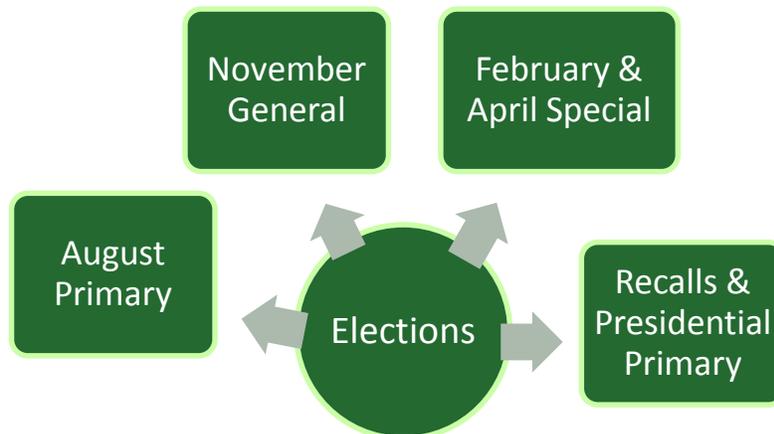
- Spring special elections - 60 days prior to the election date.
- August Primary - Friday before regular candidate filing.
- November General Election - the day of the preceding primary.

## SPECIAL CIRCUMSTANCE ELECTIONS

RCW 29A.56

**Presidential Primary** - Every Presidential election year on the 4<sup>th</sup> Tuesday in May. The law permits selection of an alternate date.

**Recall Election** - Respond to all requests for information on recalling elected officials by providing copies of RCW 29A.56.110 through RCW 29A.56.270. Notify the Secretary of State whenever your office files a recall charge.



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### 3.2 WHAT IS ON THE BALLOT?

The ballot is determined by:

- The type of election
- The type of office
- The year of the election
- The term of office
- The number of candidates in a race
- Jurisdiction resolutions requesting measures (issues) appear on a ballot

ELECTION TYPES RCW 29A.36 & 29A.52; WAC 434-230

Each election type serves a different purpose. Therefore, the races and issues on the ballot will vary.

Election Type	Appearing on the Ballot
<b>Primary *</b>	Scheduled nonpartisan races w/ 3 or more candidates Partisan races Local district measures Some charter county offices PCO (precinct committee officer) races w/ 2 or more candidates
<b>General Elections</b>	Two top primary vote-getters (partisan and nonpartisan) Nonpartisan races that skipped the primary State initiatives and referenda Local district measures President & Vice President
<b>Special Elections</b>	Local district measures - Advisory votes - District formations - Changes in government structure - Levies and Bonds

\*The following races skip the Primary: Park & recreational, cemetery, some judicial districts, any unexpired county partisan race w/ one candidate and PCO w/ only one candidate.

Internal districts representing a geographical sub-district (often defined as “District No.”) may require different primary ballots within that jurisdiction. Refer to a jurisdiction’s statutes to learn more.

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 Judicial offices may have different rules. Always refer to the chart [Judicial Offices in Washington State](#).

## PRESIDENTIAL PRIMARY BALLOTS

RCW 29A.56

Although called a primary, different rules apply to a Presidential Primary. The Presidential Primary does not determine the actual Presidential candidates appearing on the General Election ballot.

- A political party may choose to use, or not use, the results of the Presidential Primary to determine the delegates sent to the national conventions.
- Only major political party candidates may participate.
- The voter is required to affiliate with a political party by signing an oath.

## ELECTIONS REQUIRING PROPERTY OWNERSHIP

Some special purpose district elections require voters own property in the district. Diking, draining and flood control districts are such district types. When conducting a general election for these districts, always refer to that jurisdiction's statutes.

## OFFICE TYPES

RCW 29A.04

## CLASSIFICATIONS OF ELECTIVE OFFICES

Two classifications apply to elective offices.

**Partisan** – Any public office where a candidate may indicate political party preference on the ballot. State executive officials, federal senators and representatives, state senators and representatives, and most county officials hold partisan offices.

Candidates may indicate a party preference when filing, but this declaration is not a political party affiliation. Candidates are not nominees of that party.

President/Vice President and precinct committee officers affiliate with political parties. These candidates have the party affiliation printed on the ballot.

**Nonpartisan** – Any public office where a candidate does not indicate political party preference on the ballot. Includes the State Superintendent of Public Instruction, justices and judges, cities, towns, special purpose districts (school, fire, water, etc.) and some charter county officials.

Designation of an office as partisan or nonpartisan will determine when, or if, an office appears on the ballot. Remember, whenever considering judicial offices for the ballot; refer to the chart [Judicial Offices in Washington State](#), available on the OSOS website and at the end of this section.

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ELECTION YEAR

RCW 29A.04, 29A.52 & 29A.80

The year of an election determines the jurisdictions participating. For example, U.S. President and Vice President appear only on the general election ballot every four years. Charter counties may adopt different schedules for county or special purpose elections.

Year of Election	Primary	General Election
Scheduled jurisdictions		
<b>Odd Year</b> -City, town and special purpose districts -Vacant partisan offices -Vacant judicial offices (other than district court) -Regularly scheduled charter county and judicial offices	Nonpartisan offices (except cemetery & park) w/ 3 or more candidates Partisan offices Judges — use Judicial Offices in Washington State chart Local measures	The top two vote-getters from the primary Any races skipping the primary State initiatives and referenda (provided by the Secretary of State's Office) Judges — use Judicial Offices in Washington State chart Local measures
<b>Even Year</b> -Federal & state offices -Judicial offices -Partisan county offices -Public Utility Districts (PUD)	Partisan offices — all races Nonpartisan offices w/ 3 or more candidates Judges — use Judicial Offices in Washington State chart Local measures PCO w/ 2 or more candidates in major party race	The top two vote-getters from the primary Any races skipping the primary (except PCO) State initiatives and referenda (provided by the Secretary of State's Office) Judges — use Judicial Offices in Washington State chart Local measures Presidential nominees

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## OFFICE TERMS

RCW 29A.24

The “term of office” describes the length of time an elected official will serve.

**Regular Term** – Also described as “Full” term.

- For most offices, the regular term is two, four or six years.
- The ballot is not required to list the length of regular terms.
- Winners assume the office at the official beginning of the new term which is usually:
  - Second Monday in January for state offices.
  - January 1 for county elected officials unless determined by statute or charter.

**Unexpired Term** – A vacancy occurring more than one year before the regularly scheduled election.

- An appointee may temporarily fill the vacancy.
- Unexpired terms are at least one year in length. If the unexpired term is less than one year, the unexpired term is considered a ‘short term’.
- Ballot must list the length of the office’s unexpired term.
- The winning candidate takes office immediately following certification of the General Election.

 *PCOs do not have elections for unexpired or short terms. All vacancies are filled by party appointment, not by election.*

**Short Term** – The brief period starting upon certification of the general election and ending with the start of the next full term. (Short terms last about one month). By definition, an appointee should be filling the office.

- Short terms appear on the ballot in conjunction with a full term and appears as a single phrase (short and full term).
- The winning candidate fills both the short term and regular term. The same candidate swears to an oath and takes office immediately after certification of the General Election and again when the regular term begins.

 *School directors never have a short-term position. All school director regular terms begin as soon as the election is certified.*

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MEASURES

RCW 29A.24 & 29A.36

A measure on the ballot requires a **ballot title**. Ballot titles include the name of the jurisdiction asking the question, a concise description of the measure, and a question. Upon accepting a resolution, request a ballot title from one of the following:

- The city attorney, if a city or town passed the resolution.
- The county Prosecuting Attorney for all other local jurisdictions.
- The State Attorney General for state measures.

 *When sending the resolution to your Prosecuting Attorney, set a deadline for receiving a ballot title.*

After receiving the ballot title, you must send a copy to the jurisdiction for review even if there were no changes to the title submitted with the resolution. The jurisdiction has ten working days to appeal to the Superior Court.

CANDIDATES

RCW 29A.04 & 29A.24

The number of candidates filing for an office may determine if a race appears on the primary ballot, the general election ballot, or skips to the next scheduled election (see Election Year in this section).

Office type	Skips the Primary	Skips the General
Partisan office - Unexpired term	County office with only one candidate. No candidates filed in a regular filing period.	No candidates filed in a special filing period.
Partisan office – Regular term	No candidates filed in a regular filing period. Only one PCO candidate files for the party.	No candidates filed in a special filing period.
Nonpartisan offices (other than judicial)	Fewer than 3 candidates file. Parks and Recreation district. Cemetery district. No candidates filed in a regular filing period.	No candidates filed in a special filing period.
Judicial	Use judicial chart	Use judicial chart
Charter county offices	Refer to county charter	Refer to county charter

You must notify any candidate when his or her race skips the primary ballot and moves directly to the general election.

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## JUDICIAL ELECTIONS IN WASHINGTON STATE

[http://www.sos.wa.gov/assets/elections/Judicial%20Chart\\_updated%202015.pdf](http://www.sos.wa.gov/assets/elections/Judicial%20Chart_updated%202015.pdf)

## Judicial Elections in Washington State

Candidates	Municipal Court District Court Court of Appeals Supreme Court		Superior Court	
	Primary	General	Primary	General
1	No <sup>1</sup>	Yes <sup>2</sup>	County population less than 100,000: No <sup>1</sup>  County population 100,000 or more: No because certificate of election is issued after candidate filing <sup>3</sup>	County population less than 100,000: Yes <sup>2</sup>  County population 100,000 or more: No because certificate of election was issued after candidate filing <sup>3</sup>
2	No <sup>1</sup>	Yes <sup>2</sup>	No <sup>1</sup>	Yes <sup>2</sup>
3 or more	Yes	Yes <sup>2</sup>	Yes	Yes <sup>2</sup>

<sup>1</sup> [RCW 29A.52.220](#)

<sup>2</sup> [RCW 29A.36.170](#)

<sup>3</sup> [Article IV, Section 29](#) Note: When applied to multi-county jurisdictions, all counties in the jurisdiction must meet the population threshold.

An election to fill a vacancy in District Court may not occur in an odd-numbered year, per [AGLO 1973 No. 76](#) and [RCW 29A.04.321\(1\)](#).

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### 3.3 CANDIDATE FILING

RCW 29A.24 & WAC 434-215

In order to appear on a ballot, candidates must file an official declaration of candidacy with the designated filing officer. Filing officers may only accept declarations of candidacy during specific periods.

#### PRE-FILING CONSIDERATIONS

##### THE PUBLIC DISCLOSURE COMMISSION

RCW 42.17A

The Public Disclosure Commission (PDC) monitors state and local candidate campaign financing, financial compliance with state law, and political advertising. Candidates running for US Congress or President/Vice President report directly to the Federal Election Commission.

County election administrators must notify the PDC of the following information:

- The names of incumbents and the number of registered voters in each jurisdiction based on the last general election. The PDC requests counties provide this information each January.
- Names of all candidates filing for, or withdrawing from, the ballot/election. (Filings for cemetery districts and districts where voters must meet special qualifications such as ownership of land are exempt.)

 *The Washington Election Information (WEI) system automatically notifies the PDC of candidate filings and withdrawals for counties using the system for candidate filing.*

##### PDC Reports-----

The County Auditor must retain any copies of PDC reports provided by candidates according to the Local Government Retention Schedule.

PDC contact information:  
[www.pdc.wa.gov](http://www.pdc.wa.gov) or (360) 753-1111.

##### CANDIDATE PACKETS

The [PDC](#) provides candidate packets electronically and online. Printed forms are available if requested by the County Auditor around the first of each year.

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## LIST OF OFFICES OPEN FOR ELECTION

### INFORMATION FROM JURISDICTIONS

Prior to February 1, the County Auditor sends a questionnaire to each local jurisdiction scheduled to elect officers in the next general election. The questionnaire confirms information regarding open offices. At a minimum, jurisdictions need to confirm:

- The offices open for the general election of that year, including vacancies.
- The name of incumbents currently in those offices, including appointees.
- The annual salary for the offices at the time of candidate filing.
- Additional information may be included.
- The questionnaire should request response from jurisdictions prior to March 1.

 *Political parties are not considered jurisdictions.*

### OFFICES OPEN FOR FILING

Prepare a list of offices sorted by jurisdiction. This list must include office positions or district designations, and filing fees. Post the list online or distribute to the public at least two weeks before candidate filing.

Offices open for filing during the regular filing period:

- An office regularly scheduled for the ballot that year.
- A vacancy open prior to the first day of candidate filing *and* the jurisdiction notifies the County Auditor of the vacancy prior to the last three days of candidate filing.

 *Refer to Special Three-day Filing Period to learn about voids and vacancies.*

### FILING FEES AND FILING FEE PETITIONS

Some offices require a filing fee. The amount of salary *at the time of filing* determines filing fees for an office. Salary does not include compensation based on meetings attended or expenditures covered as per diem.

In lieu of cash, a candidate lacking sufficient funds to pay a fee at the time of filing may submit a filing fee petition *with* the declaration of candidacy.

A sufficient filing fee petition must have one valid signature for each dollar of the filing fee. The filing officer is responsible for checking each petition signature against the voter registration signature. A signature is not required for portions less than one dollar. Do not round the amount up or down.

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*Example:* The filing fee is \$406.98, so the petition must have 406 valid signatures of voters registered within the jurisdiction of the office.

Amount of Annual Salary	Filing Fee	Filing Fee Petition Sufficiency Requirement
No salary	No filing fee	No petition signatures required
Less than \$1,000	\$10.00	Ten signatures
\$1,000 or greater	1% of the annual salary	Signatures equal to dollar amount of the filing fee

#### CAN I ACCEPT A COMBINATION OF MONEY AND SIGNATURES?

No. The candidate either pays the full filing fee *or* submits a petition with the required signatures. Candidates filing with a filing fee petition may not file online.

#### MAY I ACCEPT A COPY OF PETITION SIGNATURES?

Petitioners must submit the original signatures.

#### CAN A CANDIDATE BRING IN MORE SIGNATURES AFTER SUBMITTING A DECLARATION?

Candidate filing deadlines apply to filing fee petitions. The candidate must submit all signatures at the time of filing the declaration of candidacy. Do not accept signatures later.

#### WHO SHOULD SIGN THE FILING FEE PETITION FOR CANDIDATES OF AN INTERNAL NOMINATING DISTRICT?

Any voter of the entire jurisdiction may validly sign the filing fee petition. Even if the office is restricted in the primary to voters of the internal district (e.g. port commissioner), any voter of the entire port district may sign the petition.

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## WHERE TO FILE

### OFFICE OF THE SECRETARY OF STATE (OSOS)

Candidates file with the Office of the Secretary of State for:

- Federal offices
- Statewide offices
- Supreme Court Judges
- Multi-county State positions
  - State Senators
  - State Representatives
  - Court of Appeals Judges
  - Superior Court Judges

### COUNTY AUDITOR

All other offices not filing with the Secretary of State file with the appropriate County Auditor. These offices include:

- State offices and districts that are entirely within a single county
- City and town elected offices
- Minor taxing district offices

In multi-county districts (joint districts) other than school districts, the county with the most registered voters is the filing officer. The superintendent of public instruction designates the county filing officer for all shared school districts.

Counties accepting filings for single county Legislature, Court of Appeals and Superior Court positions must notify the Secretary of State's office the same day of the filing is accepted.

The WEI Candidate Filing module automatically notifies the Secretary of State and joint jurisdictions upon approval of a candidate's filing.

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## WHEN TO FILE

### REGULAR FILING WEEK

- Begins Monday, two weeks before Memorial Day.
- Ends at the close of business the following Friday.
- Offices maintain regular business hours.

The filing office must be open for filing the entire week, even if Friday is not a normal business day.

### SPECIAL THREE-DAY FILING PERIODS

#### WHAT SHOULD I DO IF NO ONE FILES FOR AN OFFICE DURING THE REGULAR FILING PERIOD?

Provide a second opportunity for that office by opening a three-day special filing period if:

- A void in candidacy occurs. This happens if no one has filed for an office after the end of the official filing period.
- A vacancy occurs prior to the first day of regular filing week, but was not open for filing during regular candidate filing.

The County Auditor determines when to open a special three-day filing.

 PCO vacancies do not trigger a special three-day filing period. The parties are responsible for filling any PCO vacancies.

#### WHAT HAPPENS IF AN OFFICE HAS NO CANDIDATES AFTER TWO FILING PERIODS?

The office lapses and skips the current year’s ballot. You must treat that office the same as a vacancy occurring after the first day of filing week. Vacancies occurring after the opening of the regular filing period appear in the next election scheduled for that type of office as an “unexpired” or “short term”.

 For detailed information on managing voids and vacancies, refer to Clearinghouse Issue 11-03, “Filing for Office.”

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## HOW TO FILE

Candidates may file a Declaration of Candidacy in person, by mail, electronically or online. Deny any declaration received after the candidate-filing period has closed. Deadlines and rules apply to regular filing and special filing periods.

### IN PERSON

A candidate may submit an official [Declaration of Candidacy form](#) in person, or by messenger. Refrain from filling out the declaration yourself; the candidate should do it.

### BY MAIL

“Mail” means delivery through the US Postal service.

- Declarations submitted by fax or email are not considered by mail.
- Do not accept declaration forms earlier than 10 *business* days before the first day of filing week.
- Wait until the first day of filing to process and publicize mailed declarations.

The Elections Division must *receive* declaration forms no later than the end of candidate filing. Delivery to another department in the county or state does not qualify as valid delivery.

### WHAT DO YOU DO WHEN A FILING ARRIVES BY MAIL EARLIER THAN 10 DAYS?

If there is sufficient time for a candidate to receive and resubmit the declaration, return the form accompanied by:

- A notice stating that the filing is too early.
- Information on when and how to resubmit the filing.

If the time of receipt is very close to filing, the County Auditor may retain the filing until the appropriate time. Do not process the filing before the first day of the period.

### ELECTRONIC (FAX, EMAIL)

RCW 29A.04.255

With the exception of filing fee petitioners, candidates may submit declarations of candidacy electronically. The filing officer should accept faxed or emailed declaration forms during the filing period.

- The same deadlines and requirements apply as for in-person filing.
- If payment of a fee is required, electronic filing is not complete until receipt of the fee.

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### ONLINE FILING

The Secretary of State provides online candidate filing for all state offices that file with the State Elections Division. For positions filing with a county, the availability of online filing depends on the County Auditor. County Auditors using the WEI candidate filing function may choose to use online candidate filing.

All online filing systems must be available 24 hours a day:

- Beginning exactly at 9:00 AM on the first day of filing.
- Ending precisely at 4:00 PM on the day filing closes.
- If you use the Secretary of State’s WEI candidate filing, you must review and approve every filing prior to publication on your website.
- Candidates filing electronically must pay any applicable filing fee before the filing is complete.

### SPECIAL THREE-DAY FILINGS

Apply the regular filing period rules and methods when conducting special three-day filing periods.

### SPECIAL CONSIDERATIONS

### SPECIAL PURPOSE DISTRICTS

Districts requiring land ownership may conduct candidate filing according to that jurisdiction’s laws. The district may also require use of a different candidate declaration form as well as have different qualifications. Always refer to the specific RCW’s for that jurisdiction first, before following RCW 29A.

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## PRECINCT COMMITTEE OFFICER

RCW 29A.80; WAC 434-230

Precinct Committee Officers (PCOs) are political party positions voted upon and elected in the Primary of every even-numbered year. Candidates compete against other candidates of the same political party within a single precinct.

- Each MAJOR political party has an elective position in every precinct. Minor political parties do not have elected precinct committee officers.
- If a single candidate files for a PCO position in a precinct, the candidate is considered elected. The position does not appear on the ballot.
- If no candidates file for a PCO position in a precinct, the party fills the position by appointment.
- Do not open a filing period for voided or vacated PCO positions.

## FILING PROCEDURES

WAC 434-208 & 434-230

At the time of filing, a candidate must be:

- Registered to vote in the district of the office, and any applicable internal district. You must confirm the candidate's voting residence lies within the jurisdiction of filed office prior to approving the declaration.
- Qualified to serve if elected. It is the responsibility of the candidate to know if he or she has all the qualifications required for the office (e.g. residency). The County Auditor does not determine if the candidate is qualified.

Prospective candidates may register to vote or transfer at any time PRIOR to filing.

## PROCESSING A DECLARATION

For each declaration, you need to:

- Verify the receipt of the filing is within the filing period, particularly if the candidate files online, electronically or by mail.
- Confirm the applicant is currently a registered voter within the jurisdiction of the office. The information on the declaration must match the information on the voter registration. If the candidate has moved, transfer the candidate before accepting the declaration.
- If the office requires a candidate registration in a sub-district (e.g. county commissioner district or school director district) you must verify this also. Possible resources: maps, assessor's lookup system or other the county graphic information system.
- Make any notations on the declaration required by your office procedures.

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- Notify the candidate of the deadline for withdrawing from the ballot and that filing fees are not refundable.

Send candidate declaration information for legislative, court of appeals, or superior court candidates, electronically to the Secretary of State and the PDC the same day the declaration is accepted.

 *Filing candidates through the WEI automatically notifies the Secretary of State, the PDC, and any jointly shared county election departments.*

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## PARTY PREFERENCE

Candidates for partisan office, other than President/Vice President and PCO, may indicate a party preference. This is the *candidate's* preference, and does not link or affiliate the political party to the candidate.

- If no choice is indicated, apply the default phrase “states no party preference” to the candidate’s ballot information.
- Except as described in [WAC 434-215-120](#), there are no restrictions to the name of a political party.
- If a candidate indicates *both* a party preference and “states no party preference”, use the party preference written in.

For President/Vice President and PCOs:

- Political supporters nominate candidates for U.S. President/Vice President using a convention process. These candidates affiliate with a political party or convention. In this case, party preference language is not used.
- PCO, a political party office, requires candidates indicate political party affiliation when filing. Party preference language is not used.

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## PROCESSING FILING FEE PETITIONS

RCW 29A.24.101 and WAC 434-215-025 prescribe filing fee petition formats. Process filing fee petitions in four steps.

1. Verify each voter signing the petition is a valid voter in the district (not the sub-district if all voters in the district vote on the General Election ballot).
  - Count the first valid signature— Reject any subsequent signatures of a voter on the same petition.
  - You may stop checking signatures when the valid signatures equals the number required.
2. Certify the petition as:
  - Sufficient - If the number of valid signatures equals or exceeds the number of filing fee dollars required.
  - Insufficient – Reject the petition because there are not enough valid signatures. Once submitted, do not accept additional signatures.
3. Notify the candidate of the sufficiency / insufficiency of the petition.
4. Sufficient and insufficient filing fee petitions have different retention schedules. (<http://www.sos.wa.gov/archives/RecordsManagement/RecordsRetentionSchedulesforCountyAuditors.aspx>.)

### MISSING ESSENTIAL INFORMATION WILL INVALIDATE A PETITION.

If the petition did not accompany a declaration of candidacy, or the petition did not meet the filing deadline, the petition is invalid.

### MAY YOU REJECT A CANDIDATE'S DECLARATION?

Yes, but only if the declaration is 'defective as to face.'

**Example 1:** A candidate lists an address outside the district.

**Example 2:** The candidate is not a registered voter.

**Example 3:** A candidate has already filed for another office on the ballot (with the exception of PCO or temporary position).

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**MAY A CANDIDATE SUBMIT TWO DECLARATIONS?**

A candidate's name may not appear more than once on a ballot unless one of the positions is for the following:

- Charter review board
- Freeholder
- Precinct committee officer

Additionally, a filed candidate cannot also be a declared write-in candidate for another office appearing on the same ballot.

A candidate must withdraw the initial candidate filing before filing for another position. This rule applies to all instances including candidates filing for the wrong office, or candidates submitting more than one filing electronically. Filing fees are not refundable.

A candidate may not reactivate or resubmit any declaration of candidacy that the candidate has withdrawn. In this instance, the candidate must file a new declaration before candidate filing ends.

**MAY AN INDIVIDUAL HOLD MORE THAN ONE OFFICE?**

A person may serve in more than one office during the same time as long as there is no conflict of interest as determined by the courts.

**WITHDRAWALS**

WAC 434-215

Candidates wishing to withdraw from the ballot may do so no later than the *Monday following the regular candidate-filing period*. Special three-day filing periods do not have withdrawal periods.

At the time of filing, candidates must be informed that:

- The last day to withdraw is the Monday following regular candidate filing.
- The filing officer must receive a signed request for withdrawal.
- A candidate may not revoke a withdrawal.
- Filing fees are not refundable.

When a candidate withdraws, unless using the WEI candidate filing module, you must notify:

- The Public Disclosure Commission.
- The Secretary of State when the office is for state legislature, court of appeals, or superior court.

If, after the last day for withdrawals, any race lacks a candidate, a void in candidacy exists and you must conduct a special three-day filing period.

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### CAN YOU ACCEPT A WITHDRAWAL AFTER THE DEADLINE?

No candidate may withdraw from the ballot after the close of business on the Monday following the last day of filing week.

If a candidate wishes to withdraw after the deadline:

- A court must remove the name from the ballot.
- The candidate may contact the PDC to declare that, if elected, he or she will not serve.

## WRITE-IN CANDIDATES

### DECLARED WRITE-IN

Any qualified person may be a declared write-in candidate by filing a [Declaration of Write-in Candidacy](#) with the filing officer. Write-in candidates must declare no later than 18 days before Election Day. Any applicable filing fee accompanies the declaration at the time of filing. Notify the Secretary of State and all applicable County Auditors if the office is a multi-county jurisdiction.

### WHO MAY NOT FILE AS A WRITE-IN?

RCW 29A.24.311

Do not accept a write-in declaration when:

- The candidate has already filed for another position on the ballot.
- The candidate filed as a regular candidate or a declared write-in candidate for the same office in the primary. This candidate may file a write-in declaration for a *different* office in the General.
- The filing is less than 18 days before the election or primary.

### UNDECLARED WRITE-IN

Voters may cast votes for a person simply by writing in the name on the ballot.

- Canvassing Boards must count votes if the voter's choice or intent can be determined.

### WHAT IS THE ADVANTAGE OF DECLARING AS A WRITE-IN CANDIDATE?

Voters do not need to include all information about a candidate to have the vote counted. This means more votes will count for the candidate, regardless of bad spelling by the voters.

 *There are NO write-in candidates for PCO elections.*

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## BALLOT ORDER

RCW 29A.36

## PRIMARY BALLOT

Determine the order of candidate names on the Primary ballot by lot draw. Order of the lot draw applies also to the ballot order for Primary sample and provisional ballots.

Conduct the lot draw after the close of Candidate Filing Week.

## WHO CONDUCTS THE LOT DRAWING?

Secretary of State determines the order of names:

- Federal offices
- Statewide offices
- Multi-county Legislative and Judicial offices

County Auditor determines the order of names:

- Single county Legislative and Judicial offices. Immediately notify the OSOS of the ballot order for those offices.
- Cities, towns, and minor taxing districts. The lead county determines ballot order for shared jurisdictions. Notify joint counties of the ballot order.

 *The Secretary of State lot draw procedures are provide at the end of Chapter 3 Section 3. The lot draw results apply to all candidate races that file with the Secretary.*

## GENERAL ELECTION BALLOT

The top vote getter of a primary race, partisan and nonpartisan, appears first, followed by the second place vote getter.

Exceptions are:

- If an office did not appear in the Primary, the names appear in lot draw order.
- For Presidential/Vice Presidential nominees, the order of political party in the race is determined by the number of votes cast statewide in the last Presidential election for that party.
- In a primary, if the top two vote getters have the same results (a tie); determine the order of names for the general election ballot by lot.

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## APPEARING ON THE BALLOT – SPECIAL CASES

### JUDICIAL OFFICES

With the exception of Superior Court, you should manage judicial offices the same as any nonpartisan office. Judicial offices may appear on the ballot in any year.

 *For more information, refer to Judicial Elections Clearinghouse Issue #13-01.*

### PRECINCT COMMITTEE OFFICER (PCO)

- Only PCO races with two or more candidates in the same party appear on the ballot. No unexpired terms or single candidates are on the ballot.
- Race order depends on the number of votes cast statewide in the last Presidential election for each major political party.

### THE OFFICE OF PRESIDENT AND VICE PRESIDENT

RCW 29A.04 & 29A.56

Declarations of candidacy and filing fees are not required.

**Major Political Party** – Any major political party whose nominees for President and Vice President received at least five percent (5%) of the total votes cast at the last preceding Presidential election:

- National conventions nominate candidates and submit official nominations to the Secretary of State.
- Nomination certificates must include names of official electors to serve at the electoral college.

**Minor Political Party** – A political organization other than a major political party:

- Nominates by state convention.
- Provides petition signed by 1,000 valid Washington registered voters.

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### LAPSED ELECTION

If a nonpartisan race is without a candidate after both the regular filing period and special filing period, the scheduled election for that office lapses.

- The office is not printed the ballot.
- No write-in votes will count.
- The incumbent remains in office until election of a successor in the next regularly scheduled election for such offices. The office will appear on the ballot for the remainder of the term.

When a void in candidacy occurs following the special three-day filing period, an appointee fills the position until the next election for that position.

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## 3.4 ELECTION PREPARATION

### REQUIRED NOTICES

#### PUBLISH IN A NEWSPAPER OF GENERAL CIRCULATION

##### **Notice of Election** (RCW 29A.52.355 & WAC 434-208-140)

###### Deadline:

- Publish 44 to 34 days before primary or election (15 to 5 days before the deadline for voter registration applications by mail).

###### Required content:

- Voter registration information:
  - Last day to register online/mail.
  - Last day to transfer or update an existing registration.
  - Last day to register in person for first time voters.
  - Registration locations.
- Election information:
  - Type of election.
  - Date of election.
  - How to obtain a ballot.
  - List of jurisdictions participating in the election.
  - Positions appearing on the ballot (Candidate names and addresses are not required).
  - Short titles of ballot measures (see WAC 434-208-140).
  - Where to find additional information about the election.
- Public meetings:
  - Canvassing Board Meeting Notice.
  - Dates, times and locations of public meetings associated with the election.
  - If a local voters' pamphlet is available, only the items listed under *Voter Registration Information* and *Public Meetings* must be in the notice.

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**Notice of Availability of Services (RCW 29A.04.220)**

Deadline:

- 34 days before primary or election (linked to the deadlines for registration published in the Notice of Election).

Required content:

- Assistance information to elderly and persons with disabilities.
- Availability of voter registration aids.
- Availability of voting aids.
- Procedures for voting calculated to reach elderly and persons with disabilities.

Notification:

- Either publish separately or incorporate into the Notice of Election.

**PUBLISH SOMEWHERE**

You must notify the listed persons in some fashion. You could use a combination of press releases, announcements on your web pages, letters or email to get the word out.

**Notice of Logic and Accuracy Test (WAC 434-335-320)**

Deadline: 24 hours before testing

Required content:

- Date, time, and location of test.
- Purpose of test.

Notify:

- Press.
- Political parties.
- Public.
- Candidates.

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## TARGETED NOTICES

### **Notice of Special Filing Period** (RCW 29A.24.171, 24.181)

Deadline: no later than 24 hours prior to conducting special filing period.

Must Include:

- List of offices open for filing.
- Dates, times and location for beginning and ending of filing period.

Notify:

- Newspapers.
- Radio.
- Television in the county.
- Post online (optional).

### **Notice of Recount** (RCW 29A.64.030)

Deadline: at least one day before recount.

Must Include:

- Dates, times and location of the recount. Recounts begin when you begin sorting ballots by precinct (WAC 434-264-090).
- Each person entitled to receive notice may attend accompanied by counsel.
- Any observer rules you have adopted or addressed in WAC 434-264.

Notify:

- Applicant or affected parties.
- Candidates for that office.
- Media.

## LESS FREQUENTLY NEEDED NOTICES

Not all required notices are found in RCW 29A. The following are some of the notices required for special purpose elections:

- Notice of special primary & special election to fill congressional vacancy (RCW 29A.28.050).
- Notice of election for organization /reorganization of school districts (RCW 28A.315.275).

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- Election on question of incorporation (RCW 35.02.100).
- Notice of election to disincorporation (RCW 35.07.050).
- Election of charter adoption for first class cities (RCW 35.22.070).
- Notice of election for annexation by code city (RCW 35A. 14.070).
- Petition and notice of election for transfer of city harbor (RCW 36.08.010).
- Notice of election for removal of county seat (RCW 36.12.030).
- Notice of election for bonds to fund roads and bridges (RCW 36.76.100).

## BALLOT DESIGN

RCW 29A.36 &amp; WAC 434-230

Depending on the county tabulation system, an election may need the following types of ballots:

- Official ballots.
- Accessible ballots (AVUs must have ballots programmed into the units).
- Provisional ballots.
- Sample ballots.
- Special absentee ballots.

All ballot types and styles must use the same format and must include:

- Title – Name of election, date of election, county name.
- Ballot instructions. Include specific instructions for:
  - Partisan primary.
  - Partisan general election.
  - PCO races.
- Races and candidates.
- Ballot style or precinct identifier.
- Clear delineation between instructions and the first measure or office.

 *For more information about ballot formatting and design requirements, refer to the Election Preparation [Clearinghouses](#) and the [OSOS Ballot Format Checklist](#) on the OSOS website.*

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## ORDER OF OFFICES / MEASURES / CANDIDATES

Both statute and rule specify the order for countywide and state races and measures. Written county procedures determine placement of local jurisdiction measures and offices on the ballot.

Measures for creating a district by resolution of the county legislative authority appear as a county measure. Following creation of a district, measures and offices will appear according to county policy.

Policies and procedures should provide instruction for placement when receiving more than one measure or type of measure from a district.

Order of candidates within a Race	
<b>Top 2 Primary</b>	
ORDER OF:	DETERMINED BY:
Partisan candidates	Lot Draw results
Nonpartisan candidates	Lot Draw results
(PCO) Precinct Committee Officer	Lot Draw results
RCW 29A.36.131	
<b>General Election</b>	
ORDER OF:	DETERMINED BY:
Partisan candidates	Highest vote-getter in Primary
Nonpartisan candidates with a primary	Highest vote-getter in Primary
Nonpartisan and partisan candidates without a primary	Lot Draw results
President / Vice President (major political parties)	Number of votes for the party candidate cast statewide in the last Presidential Election
RCW 29A.36.131, RCW 29A.36.161, RCW 29A.36.171, WAC 434-230-045	

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## CREATING THE PERFECT BALLOT

WAC 434-230

A ballot must meet specific design standards set by the type of voting system and state standards. Comply with WAC 434-230-012 in font size and style, alignment, capitalization, spacing, and use of color and shading.

The perfect ballot relies on functional design and careful proofing.

Try the following proofing techniques:

- Maintain a checklist for every proofing session.
- Proof from the original documents.
- Use WEI candidate filing, check the candidates/races on ballot against the WEI list.
- Isolate proofers from distractions, to a different room or location.
- Use two or more people & switch roles.
- Read to each other. This makes you concentrate on each word.
- Repeatedly proof using an entirely different set of eyes.

*Refer to WAC 434-230-012 for formatting and use the Ballot Format Checklist on the web page for [Election Administrators](#)*

## SAMPLE AND PROVISIONAL BALLOTS

RCW 29A.36 &amp; WAC 434-230

Use the same design principals and layout for sample and provisional ballots.

## SAMPLE BALLOTS – THE COMPLETE PICTURE

Sample ballots contain all issues/races within the county. If a county's population is one million or more, sample ballots may represent a region:

- A printed copy must be available through the Auditor's Office.
- Same format as official ballot.
- Easily distinguishable from regular ballots (e.g. different color).
- Available 15 days prior to election.
- If county provides local voters' pamphlet with sample ballot, separate sample ballots are not necessary.

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## PROVISIONAL BALLOTS

Provisional ballots must differ from the official ballot by being:

- Visually distinguishable from the official ballot.
- Incapable of tabulation by a voting system.

You may use sample ballots as provisional ballots, provided the sample ballot complies with both requirements.

## STAFFING

Base staffing on the anticipated number of return ballots. Increased staffing for an election requires:

- Training – Signature verification has a mandatory training requirement. Workers need training in public information, office procedures and policy, document management and specific tasks.
- Oaths – Signature checkers and ballot box attendants require oaths.
- Equity – If possible, appointees working at voting centers and staffed deposit sites should represent both major political parties. Obtain a list of potential workers from each party.

Time off for staff: Do not forget to allow for unplanned absences.

## TABULATION EQUIPMENT

RCW 29A.12 & WAC 434-335

Good maintenance is essential to proper tabulation. You are required to have maintenance service on the tabulation equipment every year.

## PRE-TESTING

You must pretest all programming and tabulation equipment before the official tests. Thorough pre-testing of the tabulation system (including AVUs) includes testing:

- Hardware
- Software
- Reporting results (look at all reports)
- Retesting following any changes in programming

Test and verify every:

- Style of ballot.

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- Formats (alternative languages, electronically duplicated, ballot on demand).
- Voting responses.
- Printer (from any printing source you will use).

Special AVU considerations include proofing the text and AUDIO.

### OFFICIAL LOGIC AND ACCURACY TESTS

The Logic & Accuracy (L&A) Test is an official test of tabulation system. The test must verify that the system will correctly count and report the votes as cast. The event is open for public observation. The County Auditor conducts the test prior to each election. For primary and general elections, a representative of the Office of the Secretary of State may attend. In this instance, the State will schedule the test date and time.

To prepare, the county shall:

- Provide the official test matrix and a sample ballot to the OSOS at least 14 days before the test.
- Invite political party observers. Draft and review all observer conduct rules.
- Notify the press, candidates and public of the date and time of testing.

#### Logic and Accuracy Test Requirements

- Conduct the test exactly as you count ballots during the election.
- Use the same machine operators.
- Issues, offices and candidates must appear in all appropriate precincts.
- The system must accumulate votes accurately.
- Test the system reporting of votes against the test matrix.
- Verify the upload of test results to the Secretary of State's office.

#### AVUs and Electronic Duplication Systems

Test prior to the official testing of the tabulation system. You may not use any untested AVU in the election.

Test the programming on one AVU. Test every other AVU once the base programming has been loaded.

- Test functionality of every machine.
- Test reporting and accumulation of votes.

The County Auditor must provide a log of the testing at the official L&A Test.

ALL tabulation equipment used in an election must pass the L&A testing before tabulating ballots for that election.

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## WHAT DO YOU DO IF A TABULATION SYSTEM FAILS AN OFFICIAL L&A?

Take the following steps if the system fails:

1. Identify and correct the issue.
2. Pretest to verify that all issues are corrected.
3. Conduct an official Logic and Accuracy test for the system component that failed.

### EMERGENCY LOGIC AND ACCURACY TEST

For any failure, the County Auditor must schedule an emergency L&A pursuant to WAC 434-335-310. At least one additional County Canvassing Board member or an OSOS representative must be present.

### OFFICIAL OBSERVERS

RCW 29A.40.100, 12.130 & WAC 434-261-020

Major political parties may appoint official observers to watch the election process. Prior to every election, the County Auditor must in writing:

- Request observers from major political parties for all mail ballot and counting center activities.
- State the maximum number of observers ok to observe ballot processing for each processing location.

County Auditor's must provide training for official observers. Do you provide written guidelines to your observers? Anticipate their questions and concerns with a set of written instructions to describe:

- Duties and responsibilities of observers.
- The processes they will observe.
- Legal requirements for the various processes.

Be a considerate host:

- Set the boundaries. Clearly define the areas observers may freely access. If you have restrictions on activities (such as potlucks) make it known early on.
- Prepare and share staff schedules. Knowing when staff takes breaks or has lunch will help observers arrange their day.
- Have sign-in sheets and name badges ready.
- Provide a space for observers to call their own. Designate a table, locker or shelf for purses, coats and personal items.
- Outline the appropriate ways to ask questions. Providing a "guide" provides effective and accurate information, and speed up the communication between observer and the election department.

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