



Chapter 5: Sending Ballots to Voters



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Section 5.1: Ballot Preparation

Appearing on the Ballot

Primary Election

The County Auditor determines the ballot order for local jurisdictions:

- ❑ **Cities, towns, and minor taxing districts:** The lead county (the county with the majority of voters) determines ballot order for shared jurisdictions. Notify joint counties of the ballot order.
- ❑ **School districts:** The lead county is determined by state Superintendent of Public Instruction.

General Election Ballot

The top vote-getter of the primary race 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.
- ❑ If the top two vote-getters have the same number of votes in a primary, determine the order of names for the general election ballot by lot.
- ❑ The order of the Presidential/Vice Presidential nominees is determined by political party. The candidates from the major party which received the most votes in the last presidential election are listed first, then the candidates from the major political party with the second most votes are listed second. Minor party and independent candidates are listed in the order that the nominations were received by the Office of the Secretary of State.

Special Cases

Judicial Offices

Judicial offices are generally managed in the same was other nonpartisan offices. However, there are exceptions, especially for superior court judges.


 For more information about when judicial offices in primary and general elections, see the [Judicial Elections](#) clearinghouse notice on the Office of the Secretary of State website.

Notes

Notes

Precinct Committee Officer (PCO)

Only PCO races with two or more candidates for the same party office appear on the ballot. The order of the PCO races depends on the number of votes cast statewide in the last presidential election for each major political party. PCO offices are listed in the same order as presidential candidates’ party order.

 For more information about precinct committee officers, see [“Precinct Committee Officers \(PCOs\)” on page 77.](#)

The Office of President and Vice-President

 [RCW 29A.04](#), [RCW 29A.56](#)

Declarations of candidacy and filing fees are not required.

Major Political Party — A major political party is one whose nominees for President and Vice President received at least 5 percent of the total votes cast statewide in the last preceding presidential election. For major political parties:

- National conventions nominate candidates and submit official nominations to the Office of the Secretary of State.
- Nomination certificates must include names of official electors and alternates to serve at the Electoral College.

Minor Political Party — A political organization other than a major political party. Requirements include:

- Holding state conventions with at least 100 attendees nominate candidates and submit official nominations to the Office of the Secretary of State.
- Filing petitions signed by at least 1,000 valid Washington registered voters must be signed at the conventions.

Nomination certificates must include names of official electors and alternates to serve at the Electoral College. Candidates may hold multiple conventions to collect signatures.

Independent Candidate — A candidate nominated by convention without a party affiliation. Independent candidates must submit the same paperwork as minor political parties.

Ballot Design

 [RCW 29A.36](#), [WAC 434-230](#)


Every primary and election needs the following types of ballots:

- Official ballots
- Accessible ballots (Accessible voting units (AVUs) must be programmed and available for voters)
- Provisional ballots
- Sample ballots
- Special absentee ballots

Notes

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

- Title — Name of election, date of election, county name.
- Ballot instructions — including specific instructions for:
 - Partisan primary
 - Partisan general election
 - General election for office of U.S. President and Vice President
 - PCO races
 - How to mark the ballot
 - Casting a write-in vote
 - How to correct a vote
- 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” clearinghouse notices and the Ballot Format & Ballot Packet Materials Checklist on the [Clearinghouse Notices & Election Advisories page](#) of the Office of the Secretary of State website.*

Order of Offices, Measures & Candidates

RCW and WAC specify the order for federal, state, and countywide 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

Top Two Primary

 [RCW 29A.36.131](#)

Notes

Order Of:	Determined By:
Partisan candidates	Lot Draw results
Nonpartisan candidates	Lot Draw results
(PCO) Precinct Committee Officer	Lot Draw results

General Election


 [RCW 29A.36.131](#), [RCW 29A.36.161](#), [WAC 434-230-045](#)

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	<input type="checkbox"/> Major political parties are listed in the order of votes cast statewide in the last presidential election. <input type="checkbox"/> Minor political parties and independent candidates are listed in the order the petition was received by the Office of the Secretary of State.

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.

 For more information about preparing the ballot and other materials included in the ballot packet, see [WAC 434-230-012](#) and the [Ballot Format & Mail Ballot Packet Materials Checklist](#) on the Office of the Secretary of State website.

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, such as online candidate filings in VoteWA, hard copies of candidate filings received outside of VoteWA, and the certified lists from the Office of the Secretary of State for federal and state candidates and measures.
- Check the candidates and races on the ballot against the VoteWA list or report.
- Isolate proofreaders from distractions or move to a different room or location.
- Use two or more people and switch roles.
- Read to each other. This makes you concentrate on each word.
- Repeatedly proof using an entirely different set of eyes.


Creating Primary-Only Voter Ballots

 [WAC 434-232](#)

In primaries, including the presidential primary, 17-year-old Future Voters who will be 18 years old in time for the next general election are eligible to vote in primary contests.

Primary-only voters must receive a ballot that only includes eligible contests and excludes all ballot measures and any candidate races elected during the primary, such as precinct committee officer, freeholder, charter review, and commissioners elected to a newly formed jurisdiction.

For a primary that includes contests prohibited to primary-only voters, create primary-only voter ballot styles as needed. Primary-only voter ballots should be issued at the same time as other ballots: 30 or 45 days before the day of the primary for service and overseas voters, and 18 days before the day of the primary for other voters.

 *For more information about registering primary-only voters and other Future Voters, see [“Voter Eligibility” on page 39](#) and [“Issuing Primary-Only Voter Ballots” on page 110](#).*

Sample & Provisional Ballots

 [RCW 29A.36, WAC 434-230](#)


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

Notes

Sample Ballots

Sample ballots contain all issues and/or races within the county. If a county's population is 1 million or more, sample ballots may represent a region.

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

 Review [RCW 29A.36.151](#) and [WAC 434-230-010](#) for "sample ballot" rules, [WAC 434-250-105](#) for an "example of an actual ballot," and [52 USC § 21082](#) for "a sample version of the ballot."

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.

Tabulation Equipment

 [RCW 29A.12](#), [WAC 434-335](#)

Good maintenance is essential to proper tabulation. County Auditor are responsible for the preparation, maintenance, and operation of voting systems.

 **Best practice: Have maintenance service on the tabulation equipment every year.**

Pre-Testing

You must pre-test all programming and tabulation equipment before the official logic and 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
- Sending results reports to VoteWA Support to verify upload to VoteWA

Test and verify all:

- Ballot styles
- Formats (alternative languages, electronically duplicated, ballot on demand)
- Voting responses
- Printers (from any printing source you will use)
- AVU-specific considerations include proofing the text and audio


Official Logic & Accuracy Tests

The logic and accuracy (L&A) test is an official test of a 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 primaries and elections that include a federal or state office or measure, a representative of the Office of the Secretary of State must attend, and the Office of the Secretary of State will schedule the test date and time.

To prepare, the county shall:

- Provide the official test matrix and a sample ballot to the Office of the Secretary of State at least 14 days before the test.
- Mark test ballots in the manner required in [WAC 434-335-323](#).
- Invite political party observers.
- Draft, review, and distribute all observer conduct rules.
- Notify the press, political parties, candidates, and public of the date and time of testing.

 For more information about publication of notices for official logic and accuracy tests, see [“Targeted Notices” on page 92](#).

Logic & 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 statewide VoteWA system.

AVUs & Electronic Ballot Duplication Systems:

Test AVUs 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. The AVU test log must be completed before the official L&A test can be certified.

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

Counties auditors who utilize an electronic ballot duplication system must test the electronic ballot duplication system functionality prior to the official L&A test, and the County Auditor must provide a log of the testing at the official L&A test. This electronic ballot duplication test log must be completed before the official L&A test can be certified.

Notes

 For more information about processing duplicated ballots, see [“Duplication, Resolution & Adjudication” on page 136](#) and [“Duplicated Ballot Audit” on page 141](#).

What if a Tabulation System Fails the Official Logic & Accuracy Test?

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 emergency L&A test.

Emergency Logic & Accuracy Test

For any failure, the County Auditor must schedule an emergency L&A test pursuant to [WAC 434-335-310](#). At least one additional County Canvassing Board member or a representative of the Office of the Secretary of State must be present.

Section 5.2: Issuing Ballots

 [RCW 29A.40](#), [WAC 434-250](#), [WAC 434-235](#)

In Washington State, a ballot packet is mailed to every active registered voter.

A voter may request their ballot be delivered to:

- The voter’s residence,
- A mailing address, or
- An address specific to the election (may be delivered and returned electronically if the voter will be overseas or on active duty assignment away from their address of registration).

The County Auditor must record the ballot issue date and report the total number of ballots issued and returned by precinct for every election.

Notes

Deadlines for Mailing Ballots

Days Prior to an Election	Type of Ballot Mailing	Requirements for Requests Received After Deadline
90 days before a primary or general election	<input type="checkbox"/> Special absentee ballots	<input type="checkbox"/> Requests outside of 90 days: Return application or hold until deadline. <input type="checkbox"/> Requests inside 90 days: Issue immediately. Provide write-in ballots if official ballots are unavailable.
45 days before a primary or general election	<input type="checkbox"/> Primary and general election ballots to service and overseas voters	<input type="checkbox"/> Requests for ballots from service and overseas voters inside 45 days: Issue immediately.
30 days before a special election	<input type="checkbox"/> Special election ballots to service and overseas voters	<input type="checkbox"/> Requests for ballots from service and overseas voters inside 30 days: Issue immediately.
18 days before all primaries and elections	<input type="checkbox"/> Ballots for all elections are available and mailed to regular voters <input type="checkbox"/> Ballots mailed to ACP voters <input type="checkbox"/> AVUs available for use	<input type="checkbox"/> Ballots requested inside 18 days: Issue as soon as possible.
8:00 p.m. Election Day for all primaries and elections	<input type="checkbox"/> Ballots issued for requests received prior to 8:00 p.m.	<input type="checkbox"/> Requests received after 8:00 p.m. will be declined.


Notes

Protecting Voter Secrecy

 [WAC 434-230-015](#)

If a voting system prints sequential numbers on ballots, the County Auditor must put a procedure in place to prevent ballots from being issued to voters sequentially.

If necessary, change the sequential order of ballots by shuffling prior to inserting them into envelopes.

 *For more information about protecting voter secrecy see the [Protecting Secrecy of the Vote clearinghouse notice](#) on the Office of the Secretary of State website.*

Issuing Ballots to Service and Overseas Voters (UOCAVA)

 [WAC 434-235](#)

Send overseas and service voters their ballots at least 30 days before a special election and 45 days before a primary or general election.

A service or overseas voter may request the delivery method of their ballot (postal mail or electronic). This preference applies to every election until the voter changes their delivery preference or the ballot is returned undeliverable.


If the service or overseas voter does not indicate a preference, mail the ballot through USPS.

If a ballot sent electronically to a service or overseas voter returns as undeliverable with no alternate delivery email address, a ballot must be sent by USPS.

If a service or overseas voter submits a registration application that is missing a residential address and there is not enough time to contact the voter to obtain

an address, place the voter in the precinct encompassing the County Auditor’s Office for the current election.

- If the ballot is returned, count only federal races and countywide offices/ issues.
- If the voter’s precinct is still undetermined following the primary or election, place the voter on inactive status and send confirmation notices to obtain the voter’s correct Washington residential address.

 For more information about registering service and overseas voters, see [“Processing Applications for Service and Overseas Voters” on page 46.](#)

Issuing Special Absentee Ballots

 [RCW 29A.40.050](#)

Issue a special absentee ballot for a state primary or general election when:

- A voter submits a [Special Absentee Ballot Application](#) (available in the [Forms for Voters page](#) on the Office of the Secretary of State website) or provides information indicating they will be unable to vote and return a regular ballot by normal mail delivery within the period provided for regular ballots, and
- The election is within 90 days. If the application is received more than 90 days prior to the election, the County Auditor must either return the application to the voter or hold it for processing at the 90-day mark.

If a regular ballot is not available, issue a paper ballot with blank lines for each office and provide the voter a list of known candidates and measures. The voter will write their choices on the blank lines.

- Do not wait to issue special absentee ballots; provide the voter with something as soon as you receive a complete request. If the voter did not indicate they are unable to vote and return a ballot by normal mail delivery on a special absentee form, you may contact the voter to verify they qualify for a special absentee ballot.
- Include a list of known candidates and measures for that election at the time of the application.
- Instructions accompanying a special absentee ballot must state the voter may also cast a regular ballot that, if received, will count in lieu of the special absentee ballot.

The voter is entitled to request a regular ballot in addition to the special absentee ballot. County Auditors can have a policy to always send regular ballots to all special absentee voters or only those who request a regular ballot. Consistent with each County Auditor’s policy, send the regular ballot to voters when other ballots are mailed at least 18 days prior to the primary or election.

Issuing Ballots to Inactive Voters

When an inactive voter requests a ballot, issue an official ballot (not a provisional).

An inactive voter may submit a change of address using any non-in-person method up to eight days prior to the day of the primary or election and receive a current ballot based on that new precinct.

Starting seven days prior to Election Day and until 8:00 p.m. on Election Day, inactive voters may update their voter registration in person at a county election office, voting center, or auditor-designated location and receive a current ballot based on their new residential address.

A voter who fails to update their residential address by the eight-day registration deadline and does not appear in-person at an auditor-designated location to make the update may still vote according to their previous registration address. Address changes received after the applicable deadline will be effective following the election.

Inactive voters shall be placed on active status when a request for a ballot or registration update is received.



For more information about active and inactive status for voters, see [“Active and Inactive Status”](#) on page 52.

Issuing Ballots to Provisionally Registered Voters



[RCW 29A.08](#), [WAC 434-250](#)

When the County Auditor has not yet verified a voter’s identification, issue the provisionally registered voter an official ballot.

The voter record shall be flagged in such a way that indicates a ballot shall not be processed until identification is provided. The return ballot envelope may also indicate that the voter is provisionally registered. Send an Identification Notice in compliance with [WAC 434-250-045](#) at the time of the election or with the official ballot (this is not the Acknowledgment Notice).

The notice informs the voter:

- How to include a driver license or permit number, state ID card number, tribal ID of a federally-recognized tribe in Washington state, the last four digits of a Social Security Number, or a photocopy of valid identification (include the list of alternative identification in [RCW 29A.08.107](#)) with the voted ballot.
- How to return the required identification without compromising the security of the ballot.
- Notify voter, “If you fail to provide identification, your ballot will not be counted.”
- Be sure to open any ballots received from provisionally registered voters to determine if the voter provided identification in the return or security envelopes or sleeve.

i *Don't get confused! Provisionally registered voters do not receive a provisional ballot. They get an official ballot, but it cannot be counted until they provide identification. For more information about provisionally registered voters see ["Identity Verification" on page 44.](#)*

Issuing Replacement & Reissued Ballots

When a ballot is requested and a ballot has not yet been accepted for that voter, you will need to determine if a replacement or reissued ballot is required:

- Replacement Ballot means a ballot that is the same type or style and precinct as the most recently issued ballot. The ballot contains the same races and measures.
 - Voters may request replacement ballots by telephone, in writing, electronically, or in person by the voter or a family member.
 - Issue replacement ballots to voters until 8:00 p.m. on Election Day.
 - Keep a record of each replacement ballot issued, including the date requested.
- Reissued Ballot means a new ballot issued to a voter as a result of a residential address update and the voter's ballot has changed — different precinct, different races, and/or different measures. This update can be a result of an in-county address change or a registered voter transferring into a new county.
 - Voters may receive reissued ballots by submitting registration updates by telephone mail, online, electronic submission, or in-person no later than eight days prior to Election Day. After the eight-day deadline, voters must appear in person at a county election office, auditor-designated location, or voting center to update their address and receive a reissued ballot.

If you are unable to find a voter's record, or if the voter indicates this is their first registration, register the voter and issue a ballot.

Notes

Issuing Ballots to Protected Record Voters

Send official ballots to Address Confidentiality Program (ACP) participants as soon as possible but no later than 18 days before the election. It takes longer for ACP ballots to reach the voters as the ballots are mailed to ACP mailbox at the Office of the Secretary of State, who then repackage the ballots and mail them to the voters. This process adds at least 2-3 days to the mail time. Mailing these ballots first class and putting all ballots for a household in an envelope or box can reduce the mailing time.

Mark the return envelope for delivery to authorized county personnel. Only authorized county personnel may process ACP ballots.

Issuing Primary-Only Voter Ballots


In primaries, including the presidential primary, 17-year-old Future Voters who will be 18 years old in time for the next general election are eligible to vote in primary contests. They are not active registered voters until 90 days prior to an eligible primary.

Balloting

- Only allowed to vote in winnowing contests for candidates
- Not allowed to vote in deciding contests: initiatives, precinct committee officers, freeholders, etc.
- Separate styles of ballots must be made for this voter

Notices & Disclosure

- All registration data are exempt from disclosure for those under 18 until 90 days prior to the primary.
- Ballot issuance data are disclosable once produced.
- Do not send any notice to Primary-Only Voters until 90 days before the primary.

 *For more information about registering primary-only voters and other Future Voters, see [“Voter Eligibility” on page 39](#) and [“Creating Primary-Only Voter Ballots” on page 101](#).*

Ballot Packets

 [WAC 434-230](#), [WAC 434-235](#)

Postal Mail Packets

Notes

For All Voters

- Ballot — specific to a voter’s precinct
- Security envelope/sleeve
- Pre-addressed, postage-paid return envelope with ballot declaration
- Date of the election in 20-point font or larger
- Outer mailing envelope with postal endorsements that forward ballots, send updated address information, and return undeliverable ballots to the County Auditor
- Instructions — specific to the election, how to mark the ballot, and type of ballot

For Service & Overseas (UOCAVA) Voters

Packets mailed to overseas and service voters have additional requirements.

Use return envelopes with the federal prepaid return postage account when mailing through the USPS — do not use the business reply account meant for regular ballots.

Two additional items must be included:

1. A ballot privacy (secrecy) sheet; election information printed on this sheet must not verify or identify the voter in any way.
2. A space for the voter to provide a telephone number.

UOCAVA voting instructions must specify:

- How to return the ballot by email, fax, or postal mail.
- How to use the ballot privacy sheet when returning a voted ballot electronically.
- The need to sign the ballot declaration on or before Election Day.
- How to obtain information about the election — e.g., county website and email addresses.
- How the voter confirms their ballot arrived at the elections office.
- County Auditor’s complete contact information: website, mailing address, email address, phone number, and fax number.

Electronic Ballot Issuance (Online Ballots)

 [RCW 29A.40.091](#) / [WAC 52 USC § 20302](#), [WAC 434-235](#)

Overseas & Service (UOCAVA) Voters

Service and overseas voters may choose to receive ballots via email or fax. All ballot packets must include:

- Information required for every mail ballot packet.
- A ballot declaration.
- Voting instructions specific to voting an email/fax ballot.
- A privacy sheet to separate the voted ballot from the signed declaration.
- County Auditor website information.
- Instructions for returning the ballot electronically by 8:00 p.m. Pacific Time on Election Day, or by mail and postmarked on or before Election Day.

Non-UOCAVA Voters

Any voter may request to have their ballot delivered to them electronically. Except for service and overseas voters, who are allowed to return ballots electronically, all other voters must return a paper ballot by mail, ballot drop box, a voting center, or another location established by the County Auditor. They may not return their ballots electronically.

Undeliverable Ballots

Inactivating Voters after Receiving Returned Mail


An undeliverable ballot is one that the USPS could not deliver to the voter. The USPS may return mailed ballots to the election office as “undeliverable.”

You must request address change information from the USPS and use that information to update voter registration records. This information qualifies under the federal National Voter Registration Act (NVRA) for changing the status of a voter.

Notes

If a ballot is returned as “undeliverable” or forwarded, the County Auditor must process these ballots following certification of the election.

- If the updated address is within the state, update the voter registration and the voter’s county of residence will send the voter an acknowledgment notice, or
- If no updated address information was received or the updated address is outside the state, place the voter on inactive status and send the voter a confirmation notice to all known addresses.

 **Reconciliation Tip: Undeliverable ballots are not reported as “ballots returned” in election reports. They are blank forms that did not reach voters as intended.**

Certificate of Mailing

[RCW 29A.40](#), [WAC 434-250](#)


Before a primary or election, counties must certify ballot-mailing dates to the Office of the Secretary of State. The certification verifies your county mailed ballots no later than:

Service & Overseas (UOCAVA) Voters:

- The 30th day prior to special elections.
- The 45th day prior to primaries and general elections.

All Other Ballots:

The day all other ballots are sent to the USPS to be delivered, no later than the 18th day prior to all primaries and elections.

 *Blank certification forms are available on the [Certification, L&A Tests, and Recounts page](#) of the Office of the Secretary of State’s website.*

