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**SENATE BILL 5182**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senators Nguyen and Hunt

Prefiled 01/05/23.

1 AN ACT Relating to procedures and deadlines for candidate filing;  
2 amending RCW 29A.24.050, 29A.24.040, 29A.24.070, 29A.24.081,  
3 29A.24.091, 29A.24.131, and 29A.32.230; reenacting and amending RCW  
4 29A.16.040; adding a new section to chapter 29A.24 RCW; and adding a  
5 new section to chapter 29A.32 RCW.

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

7 **Sec. 1.** RCW 29A.24.050 and 2011 c 349 s 7 are each amended to  
8 read as follows:

9 Except where otherwise provided by this title, declarations of  
10 candidacy for the following offices shall be filed (~~during regular~~  
11 ~~business hours~~) between 8:00 a.m. and 5:00 p.m. with the filing  
12 officer beginning the first Monday (~~two weeks before Memorial day~~)  
13 in May and ending the following Friday in the year in which the  
14 office is scheduled to be voted upon:

15 (1) Offices that are scheduled to be voted upon for full terms or  
16 both full terms and short terms at, or in conjunction with, a state  
17 general election; and

18 (2) Offices where a vacancy, other than a short term, exists that  
19 has not been filled by election and for which an election to fill the  
20 vacancy is required in conjunction with the next state general  
21 election.

1 This section supersedes all other statutes that provide for a  
2 different filing period for these offices.

3 **Sec. 2.** RCW 29A.24.040 and 2011 c 349 s 6 are each amended to  
4 read as follows:

5 A candidate may file (~~(his or her)~~) a declaration of candidacy  
6 for an office by electronic means on a system specifically designed  
7 and authorized by a filing officer to accept filings.

8 (1) Filings that are received electronically must capture all  
9 information specified in RCW 29A.24.031 (1) through (4).

10 (2) Electronic filing may begin at (~~(9:00)~~) 8:00 a.m. the first  
11 day of the filing period and continue through (~~(4:00)~~) 5:00 p.m. the  
12 last day of the filing period.

13 **Sec. 3.** RCW 29A.24.070 and 2009 c 106 s 1 are each amended to  
14 read as follows:

15 (1) Declarations of candidacy shall be filed with the following  
16 filing officers:

17 (~~(1)~~) (a) The secretary of state for declarations of candidacy  
18 for statewide offices, United States senate, (~~and~~) United States  
19 house of representatives, Washington state legislature, and court of  
20 appeals;

21 (~~(2)~~) (b) The secretary of state for declarations of candidacy  
22 for (~~the state legislature, the court of appeals, and~~) the superior  
23 court when the candidate is seeking office in a district comprised of  
24 voters from two or more counties;

25 (~~(3)~~) (c) The county auditor for all other offices. For any  
26 nonpartisan office, other than judicial offices and school director  
27 in joint districts, where voters from a district comprising more than  
28 one county vote upon the candidates, a declaration of candidacy shall  
29 be filed with the county auditor of the county in which a majority of  
30 the registered voters of the district reside. For school directors in  
31 joint school districts, the declaration of candidacy shall be filed  
32 with the county auditor of the county designated by the  
33 superintendent of public instruction as the county to which the joint  
34 school district is considered as belonging under RCW 28A.323.040.

35 (2) Each official with whom declarations of candidacy are filed  
36 under this section, within one business day following the closing of  
37 the applicable filing period, shall transmit to the public disclosure  
38 commission the information required in RCW 29A.24.031 (1) through (4)

1 for each declaration of candidacy filed (~~in his or her~~) with the  
2 official's office during such filing period or a list containing the  
3 name of each candidate who files such a declaration (~~in his or her~~)  
4 with the official's office during such filing period together with a  
5 precise identification of the position sought by each such candidate  
6 and the date on which each such declaration was filed. Such official,  
7 within three days following (~~his or her~~) the receipt of any letter  
8 withdrawing a person's name as a candidate, shall also forward a copy  
9 of such withdrawal letter to the public disclosure commission.

10 **Sec. 4.** RCW 29A.24.081 and 2011 c 10 s 27 are each amended to  
11 read as follows:

12 Any candidate may mail (~~his or her~~) a declaration of candidacy  
13 for an office to the filing officer. Such declarations of candidacy  
14 shall be processed by the filing officer in the following manner:

15 (1) Any declaration received by the filing officer by mail before  
16 the tenth business day immediately preceding the first day for  
17 candidates to file for office shall be returned to the candidate  
18 submitting it, together with a notification that the declaration of  
19 candidacy was received too early to be processed. The candidate shall  
20 then be permitted to resubmit (~~his or her~~) the candidate's  
21 declaration of candidacy during the filing period.

22 (2) Any properly executed declaration of candidacy received by  
23 mail on or after the tenth business day immediately preceding the  
24 first day for candidates to file for office and before (~~the close of~~  
25 ~~business~~) 5:00 p.m. on the last day of the filing period shall be  
26 included with filings made in person during the filing period.

27 (3) Any declaration of candidacy received by the filing officer  
28 after (~~the close of business~~) 5:00 p.m. on the last day for  
29 candidates to file for office shall be rejected and returned to the  
30 candidate attempting to file it.

31 **Sec. 5.** RCW 29A.24.091 and 2018 c 187 s 1 are each amended to  
32 read as follows:

33 (1) A filing fee of ten dollars shall accompany the declaration  
34 of candidacy for any office with a fixed annual salary of one  
35 thousand dollars or less. A filing fee equal to one percent of the  
36 annual salary of the office at the time of filing shall accompany the  
37 declaration of candidacy for any office with a fixed annual salary of  
38 more than one thousand dollars per annum. No filing fee need

1 accompany a declaration of candidacy for precinct committee officer  
2 or any office for which compensation is on a per diem or per meeting  
3 attended basis, or any declaration of candidacy for a write-in  
4 candidate filed after the close of filing and more than eighteen days  
5 prior to a primary or election.

6 (2) A filing fee of twenty-five dollars shall accompany the  
7 declaration of candidacy for write-in candidates for any office with  
8 a fixed annual salary of one thousand dollars or less if filed  
9 eighteen days or less prior to a primary or election.

10 (3) A filing fee equal to one percent of the annual salary of the  
11 office at the time of filing shall accompany a declaration of  
12 candidacy for write-in candidates for any office with a fixed annual  
13 salary of more than one thousand dollars per annum if filed eighteen  
14 days or less prior to a primary or election.

15 (4) A candidate who lacks sufficient assets or income at the time  
16 of filing to pay the filing fee required by this section shall submit  
17 with (~~his or her~~) the candidate's declaration of candidacy a filing  
18 fee petition. The petition shall contain not less than a number of  
19 signatures of registered voters equal to the number of dollars of the  
20 filing fee. The signatures shall be of voters registered to vote  
21 within the jurisdiction of the office for which the candidate is  
22 filing.

23 (~~When the candidacy is for:~~

24 ~~(a) A statewide office, the United States senate, or the United~~  
25 ~~States house of representatives, the fee shall be paid to the~~  
26 ~~secretary of state;~~

27 ~~(b) A legislative or judicial office that includes territory from~~  
28 ~~more than one county, the fee shall be paid to the secretary of state~~  
29 ~~for equal division between the treasuries of the counties comprising~~  
30 ~~the district;~~

31 ~~(c) A legislative or judicial office that includes territory from~~  
32 ~~only one county, the fee shall be paid to the county auditor;~~

33 ~~(d) A city or town office, the fee shall be paid to the county~~  
34 ~~auditor who shall transmit it to the city or town clerk for deposit~~  
35 ~~in the city or town treasury.))~~

36 NEW SECTION. **Sec. 6.** A new section is added to chapter 29A.24  
37 RCW to read as follows:

38 Fees paid when filing for office must be collected by the filing  
39 officer and distributed as follows:

1 (1) When the candidacy is for a statewide office, the United  
2 States senate, the United States house of representatives, or the  
3 state supreme court, the fee shall be retained by the secretary of  
4 state;

5 (2) When the candidacy is for a Washington state legislative,  
6 state court of appeals, or a superior court judicial office, the fees  
7 shall be distributed to the office of the county auditor or auditors  
8 whose counties comprise the district. When the district includes  
9 multiple counties, the distribution must be an equal division between  
10 the counties comprising the district;

11 (3) When the candidacy is for a city or town office, the county  
12 auditor shall transmit fees to the city or town clerk for deposit in  
13 the city or town treasury; and

14 (4) When the candidacy is for any other office, the fees shall be  
15 retained by the office of the filing officer.

16 **Sec. 7.** RCW 29A.24.131 and 2011 c 349 s 8 are each amended to  
17 read as follows:

18 A candidate may withdraw (~~his or her~~) the candidate's  
19 declaration of candidacy at any time before (~~the close of business~~)  
20 5:00 p.m. on the Monday following the last day for candidates to file  
21 under RCW 29A.24.050 by filing, with the officer with whom the  
22 declaration of candidacy was filed, a signed request that (~~his or~~  
23 ~~her~~) the candidate's name not be printed on the ballot. There shall  
24 be no withdrawal period for declarations of candidacy filed during  
25 special filing periods held under this title. No filing fee may be  
26 refunded to any candidate who withdraws under this section. Notice of  
27 the deadline for withdrawal of candidacy and that the filing fee is  
28 not refundable shall be given to each candidate at the time (~~he or~~  
29 ~~she~~) the candidate files.

30 **Sec. 8.** RCW 29A.16.040 and 2011 c 349 s 5 and 2011 c 10 s 26 are  
31 each reenacted and amended to read as follows:

32 The county legislative authority of each county in the state  
33 shall divide the county into election precincts and establish the  
34 boundaries of the precincts.

35 (1) Precinct boundaries may be altered at any time as long as  
36 sufficient time exists prior to a given election for the necessary  
37 procedural steps to be honored. Except as permitted under subsection  
38 (3) of this section, no precinct changes may be made during the

1 period starting ((~~fourteen~~)) seven days prior to the first day for  
2 candidates to file for the primary election and ending with the day  
3 of the general election.

4 (2) The county legislative authority may establish by ordinance a  
5 limitation on the maximum number of active registered voters in each  
6 precinct within its jurisdiction. The number may be less than the  
7 number established by law, but in no case may the number exceed one  
8 thousand five hundred active registered voters.

9 (3) The county auditor shall temporarily adjust precinct  
10 boundaries when a city or town annexes unincorporated territory to  
11 the city or town, or whenever unincorporated territory is  
12 incorporated as a city or town. The adjustment must be made as soon  
13 as possible after the approval of the annexation or incorporation.  
14 The temporary adjustment must be limited to the minimum changes  
15 necessary to accommodate the addition of the territory to the city or  
16 town, or to establish the eligible voters within the boundaries of  
17 the new city or town, and remains in effect only until precinct  
18 boundary modifications reflecting the annexation or incorporation are  
19 adopted by the county legislative authority.

20 NEW SECTION. **Sec. 9.** A new section is added to chapter 29A.32  
21 RCW to read as follows:

22 The secretary may, by rule, set a deadline for submission of  
23 candidate statements and photographs for inclusion in the statewide  
24 voters' pamphlet. The deadline for submission of candidate statements  
25 and photographs must be not sooner than 11 days immediately following  
26 the deadline for filing declarations of candidacy under RCW  
27 29A.24.050.

28 **Sec. 10.** RCW 29A.32.230 and 2003 c 111 s 815 are each amended to  
29 read as follows:

30 The county auditor or, if applicable, the city clerk of a first-  
31 class or code city shall, in consultation with the participating  
32 jurisdictions, adopt and publish administrative rules necessary to  
33 facilitate the provisions of any ordinance authorizing production of  
34 a local voters' pamphlet. Any amendment to such a rule shall also be  
35 adopted and published. Copies of the rules shall identify the date  
36 they were adopted or last amended and shall be made available to any  
37 person upon request. One copy of the rules adopted by a county  
38 auditor and one copy of any amended rules shall be submitted to the

1 county legislative authority. One copy of the rules adopted by a city  
2 clerk and one copy of any amended rules shall be submitted to the  
3 city legislative authority. These rules shall include but not be  
4 limited to the following:

5 (1) Deadlines for decisions by cities, towns, or special taxing  
6 districts on being included in the pamphlet;

7 (2) Limits on the length and deadlines for submission of  
8 arguments for and against each measure;

9 (3) The basis for rejection of any explanatory or candidates'  
10 statement or argument deemed to be libelous or otherwise  
11 inappropriate. Any statements by a candidate shall be limited to  
12 those about the candidate himself or herself;

13 (4) Limits on the length (~~and deadlines for submission~~) of  
14 candidates' statements;

15 (5) Deadlines for submission of candidates' statements not sooner  
16 than 11 days following the deadline for filing declarations of  
17 candidacy under RCW 29A.24.050;

18 (6) An appeal process in the case of the rejection of any  
19 statement or argument.

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