Chapter 434-215 WAC

DECLARATIONS OF CANDIDACY AND FILING

PROCEDURES

(Formerly chapter 434-228 WAC)

WAC 434-215-005 Filing information—Questionnaire—Compiling and dissemination.
434-215-020 Declaration of candidacy.
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434-215-065 Duplication of names.
434-215-070 Withdrawal of candidacy.
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434-215-120 Minor political party candidates and independent candidates.
434-215-130 Presidential nominations by major political parties.
434-215-140 Declare of candidacy and vacancies in office.
434-215-150 No major party ticket.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

434-215-030 Filing qualification.
434-215-040 Filing notification.
434-215-050 Use of title, rank, or symbols prohibited.
434-215-060 Duplication of names.
434-215-070 Withdrawal of candidacy.
434-215-080 Electronic filing—Requirements.
434-215-110 Political party preference by candidate for partisan office.
434-215-120 Minor political party candidates and independent candidates.
434-215-130 Presidential nominations by major political parties.
434-215-140 Declare of candidacy and vacancies in office.

(6/13/16)

WAC 434-215-005 Filing information—Questionnaire—Compiling and dissemination. (1) Prior to February 1, the county auditor shall send a questionnaire to the administrative authority of each local jurisdiction for which the auditor is the candidate filing officer subject to the provisions of RCW 29A.04.321 and 29A.04.330. The questionnaire must be sent during the twelve months before the local jurisdiction is scheduled to elect officers. The purpose of the questionnaire shall be to confirm information which the auditor must use to properly conduct candidate filings for each office. The questionnaire should request, at a minimum, confirmation of offices to be filled at the general election that year, the name of the incumbent, and the annual salary for the position at the time of the filing period. Responses should be received prior to March 1 of that year so that the filing information can be compiled and disseminated to the public at least two weeks prior to the candidate filing period.

(2) If a jurisdiction fails to notify the county auditor prior to the regular candidate filing period that an office is to be filled at the general election and therefore the office is not included in the regular candidate filing period, the county auditor shall:

(a) Open the position during the remainder of the regular filing period if the county auditor is notified in time to provide at least three days in the regular filing period. The county auditor must post information online and notify the press; or

(b) Open the position during a special three-day filing period as though there is a void in candidacy per RCW 29A.24.181.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. WSR 11-24-064, § 434-215-005, filed 12/6/11, effective 1/6/12.]


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(6/13/16)
WASHINGTON STATE DECLARATION OF CANDIDACY

Candidate Information as Registered to Vote

<table>
<thead>
<tr>
<th>First Name</th>
<th>Middle</th>
<th>Last</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Residential Address</th>
<th>City / Zip</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Date of Birth</th>
<th>Email Address</th>
<th>Phone Number</th>
</tr>
</thead>
</table>

Campaign Contact Information for Publication

<table>
<thead>
<tr>
<th>Campaign Phone</th>
<th>Campaign Email</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Mailing Address (if different from residential address)</th>
<th>City / Zip</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Campaign Website</th>
</tr>
</thead>
</table>

Ballot Information

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Office Name</th>
<th>Position Number</th>
</tr>
</thead>
</table>

Exact Name I Would Like Printed on the Ballot

Political Party I Prefer to be Printed on the Ballot, if Filing for Partisan Office:

- [ ] (Prefers [ ] [ ] [ ] [ ] [ ] [ ] [ ] Party)
- [ ] (States No Party Preference)

Filing Fee

- [ ] The office has no filing fee
- [ ] A filing fee of $________ accompanics the declaration of candidacy
- [ ] I lack sufficient funds and submit a filing fee petition in lieu of the filing fee under RCW 29A.24.091

Oath

I declare that the above information is true, that I am a registered voter residing at the address listed above, that I am a candidate for the office listed above, and that, at the time of filing this declaration, I am legally qualified to assume office.

I swear, or affirm, that I will support the Constitution and laws of the United States, and the Constitution and laws of the State of Washington.

Sign Here

Date Here

For Office Use Only

<table>
<thead>
<tr>
<th>Submission Date</th>
<th>Voter Registration Number</th>
</tr>
</thead>
</table>

Office Code | Fee |
|------------|-----|

The filing officer must provide a paper or electronic copy of the filed declaration of candidacy to the candidate and to the public disclosure commission.


[Ch. 434-215 WAC p. 2] (6/13/16)
WAC 434-215-015  Write-in declaration of candidacy. Declarations of candidacy filed either in person or by mail shall be in substantially the following form:

**Washington State Declaration of Write-in Candidacy**

<table>
<thead>
<tr>
<th>candidate information as registered to vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>first name</td>
</tr>
<tr>
<td>residential address</td>
</tr>
<tr>
<td>date of birth</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>campaign contact information for publication</th>
</tr>
</thead>
<tbody>
<tr>
<td>campaign phone</td>
</tr>
<tr>
<td>mailing address (if different from residential address)</td>
</tr>
<tr>
<td>campaign website</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>office information</th>
</tr>
</thead>
<tbody>
<tr>
<td>I am a write-in candidate for:</td>
</tr>
<tr>
<td>jurisdiction</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ballot information if qualifying</th>
</tr>
</thead>
<tbody>
<tr>
<td>exact name I would like printed on the ballot if I qualify</td>
</tr>
<tr>
<td>political party I prefer to be printed on the ballot, if filing for partisan office:</td>
</tr>
<tr>
<td>○ (Prefers _______) Party</td>
</tr>
<tr>
<td>○ (States No Party Preference)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>filing fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>○ The office has no filing fee</td>
</tr>
<tr>
<td>○ A filing fee of $ ________ accompanies the declaration of candidacy</td>
</tr>
<tr>
<td>○ I lack sufficient funds and submit a filing fee petition in lieu of the filing fee under RCW 29A.24.091</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>oath</th>
</tr>
</thead>
</table>
| I declare that the above information is true, that I am a registered voter residing at the address listed above, that I am a candidate for the office listed above, and that, at the time of filing this declaration, I am legally qualified to assume office. 
I swear, or affirm, that I will support the Constitution and laws of the United States, and the Constitution and laws of the State of Washington. |

| sign here | date here |

<table>
<thead>
<tr>
<th>for office use only</th>
</tr>
</thead>
<tbody>
<tr>
<td>submission date</td>
</tr>
<tr>
<td>office code</td>
</tr>
</tbody>
</table>

[Statutory Authority: RCW 29A.04.611 and 29A.04.620. WSR 16-13-063, § 434-215-015, filed 6/13/16, effective 7/14/16.]
WAC 434-215-021 Declaration of candidacy—Precinct committee officer. Declarations of candidacy for the office of precinct committee officer shall be in substantially the following form:

**Declaration of Candidacy**
**Precinct Committee Officer**

**instructions** File this form with your county elections department. No filing fee is required.

*Note:* This document becomes public record once filed.

**office information**
- member of the
  - Democratic Party
  - Republican Party
- precinct representing (name / number)

**personal information as registered to vote**
- first name
- middle
- last
- date of birth (mm / dd / yyyy)
- phone number
- residential address
- city / ZIP

**ballot information**
- exact name I would like printed on the ballot *(only contested races will appear on the ballot)*

**contact information**
- mailing address *(if different from residential address)*
- city / ZIP
- email address
- phone number

**oath**
I declare that the above information is true, that I am a registered voter residing at the residential address and precinct listed above, and that I am a candidate for Precinct Committee Officer for the party and precinct identified above.

Further, I declare, under penalty of perjury, that I will support the Constitution and laws of the United States, and the Constitution and laws of the State of Washington.

[sign here]

[date here]

**for office use only**
- voter registration number
- date
- [ ] precinct verified
  - office code
- staff

[Statutory Authority: RCW 29A.04.611. WSR 14-06-040, § 434-215-021, filed 2/26/14, effective 3/29/14; WSR 12-14-074, § 434-215-021, filed 7/2/12, effective 8/2/12.]

[Ch. 434-215 WAC p. 4]
WAC 434-215-024 Insufficient payment of a filing fee. If, after the last day to withdraw, a county auditor learns that a candidate provided insufficient funds for a filing fee, the county auditor must recoup that cost through other allowable means.


WAC 434-215-025 Filing fee petitions. (1) When a candidate submits a filing fee petition in lieu of his or her filing fee, as authorized by RCW 29A.24.091, voters eligible to vote on the office in the general election are eligible to sign the candidate's filing fee petition.

(2) A candidate submitting a filing fee petition in the place of a filing fee may not file the declaration of candidacy electronically.

(3) A candidate submitting a filing fee petition must submit all signatures when filing the declaration of candidacy. The candidate cannot supplement the signatures at a later date.


WAC 434-215-040 Filing notification. Declarations of candidacy for legislative, court of appeals, and superior court districts located within one county must be filed with the county auditor. All information listed on the declaration of candidacy for these offices must be sent electronically to the secretary of state the same day the filing was accepted.


WAC 434-215-050 Use of title, rank, or symbols prohibited. No person when filing for office shall be permitted to use any title, rank, or symbol instead of, or in conjunction with, his or her name, except as may be provided by law or administrative rule.

[Statutory Authority: RCW 29A.04.611. WSR 06-02-028, § 434-215-065, filed 12/28/05, effective 1/28/06.]

WAC 434-215-070 Electronic filing—Requirements. An electronic system to file declarations of candidacy shall be an online system accessible to candidates on the world wide web that is capable of:

(1) Recording each candidate's name, date of birth, voter registration address, mailing address, phone number, email address, and political party preference for partisan offices, and the office and position number for which each candidate is filing;

(2) Verifying the candidate's voter registration status, and that the voter registration address is within the jurisdiction of the office for which the candidate is filing;

(3) Accepting electronic transfer of funds for the payment of filing fees;

(4) Informing, and requiring each candidate to acknowledge, that submission of the form constitutes agreement that the information provided with the filing is true, that he or she will support the Constitution and laws of the United States and the state of Washington, and that he or she agrees to electronic payment of any filing fees; and

(5) Allowing the filing officer to verify each filing before it is made public.

[Statutory Authority: RCW 29A.04.611. WSR 06-02-028, § 434-215-065, filed 12/28/05, effective 1/28/06.]

WAC 434-215-110 Electronic filing—Interlocal agreements. The secretary of state may enter into interlocal agreements with county auditors to provide services to allow county auditors to accept electronic filings. Nothing in an agreement shall contravene RCW 29A.24.070, determining where candidates file for office.

WAC 434-215-120 Political party preference by candidate for partisan office. (1) On a declaration of candidacy, a candidate for partisan congressional, state, or county office may state his or her preference for a political party, or not state a preference. The candidate may use up to sixteen characters for the name of the political party. A candidate's party preference, or the fact that the candidate states no preference, must be printed with the candidate's name on the ballot and in any voters' pamphlets printed by the office of the secretary of state or a county auditor's office.

(2) If a candidate does not indicate a party that he or she prefers, then the candidate has stated no party preference and is listed as such on the ballot and in any voters' pamphlets.

(3) The filing officer may not print on the ballots, in a voters' pamphlet, or other election materials a political party name that is obscene. If the name of the political party provided by the candidate would be considered obscene, the filing officer may petition the superior court pursuant to RCW 29A.68.011 for a judicial determination that the party name be edited to remove the obscenity, or rejected and replaced with "states no party preference."

(4) A candidate's preference may not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate. If the name of the political party provided by the candidate implies that the candidate is nominated or endorsed by a political party, or that a political party approves of or associates with that candidate, the filing officer may petition the superior court pursuant to RCW 29A.68.011 for a judicial determination that the party name be edited, or rejected and replaced with "states no party preference."

WAC 434-215-130 Minor political party candidates and independent candidates. (1) In the election system enacted as chapter 2, Laws of 2005, there is no distinction between major party candidates, minor party candidates, or independent candidates filing for partisan congressional, state, or county office. All candidates filing for these partisan offices have the same filing and qualifying requirements. All candidates for partisan office have the option of stating on the ballot their preference for a political party, or stating no party preference. The party preference information plays no role in determining how candidates are elected to public office.

(2) If two or more certificates of nomination are filed purporting to nominate the same candidates for president and vice president by two different minor political parties, or both by a party and as an independent candidate, the first valid certificate of nomination filed with the secretary of state shall be accepted and subsequent certificates must be rejected.

WAC 434-215-165 Presidential nominations by major political parties. Nominations for president and vice president by major political parties are conducted at each party's national convention. Immediately following the convention, each party must submit a certificate of nomination and list of electors to the secretary of state in order to place the nominees on the presidential general election ballot.

WAC 434-215-170 Filing qualifications. When state law requires a candidate to possess all qualifications of the office at the time of candidate filing, a candidate must satisfy this requirement at the time of candidate filing; a candidate cannot rely on possessing the qualifications at a later time, such as election day or the beginning of the term of office.

WAC 434-215-180 Write-in candidates. A candidate desiring to file as a write-in candidate must file the write-in declaration of candidacy no later than eighteen days before election day, the deadline in RCW 29A.40.070 that ballots must be mailed.