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## State Government Committee

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### HB 2334

**Brief Description:** Allowing candidates to file electronically.

**Sponsors:** Representatives McDermott, Romero, McMorris, Schmidt, Ruderman, Nixon and Ogden; by request of Secretary of State.

#### Brief Summary of Bill

- Authorizes the secretary of state to allow for on-line filing of declarations of candidacy and electronic payment of filing fees.

**Hearing Date:** 1/25/02

**Staff:** Kimberly Berry (786-7291).

#### Background:

Candidates for elected state-wide or local office must file a declaration and affidavit of candidacy. Declarations of candidacy must be filed with the secretary of state for the following offices:

- statewide offices
- U.S. senate
- U.S. house of representatives
- state legislature
- court of appeals
- superior court for districts comprising multiple counties

Declarations of candidacy for all other offices are filed with the appropriate county auditor.

The standard form used for declarations of candidacy must include the following information:

- jurisdiction in which candidate is registered to vote
- elected position for which candidate is filing
- candidate's party designation, if applicable
- amount of the filing fee or nominating petition in lieu of fee
- candidate's signature, statement of truth, and an affirmation that the candidate will

support the Constitutions and laws of the United States and the state of Washington.

**Summary of Bill:**

The Secretary of State and auditors are authorized to allow for on-line filing of declarations of candidacy and electronic payment of filing fees.

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

To facilitate electronic filing the secretary of state may adopt rules in order to establish which jurisdictions are eligible to accept electronic filing, under what circumstances electronic filing would be permitted, and the processes necessary for electronic filing.

Filings that are received electronically must be able to capture the same information required on the standard (hard-copy) declaration of candidacy form. Additionally, since a candidate cannot sign an electronic filing, submission of the electronic form constitutes agreement that the information provided is true, and that he or she will support the Constitutions and laws of the United States and the state of Washington. Submission of the electronic form also confirms he or she agrees to electronic payment of the filing fee.

Times for electronic filings are designated to begin at 9:00 a.m. the fourth Monday in July and continue through 4:00 p.m. the following Friday. For special filing periods, electronic filings are designated to begin at 9:00 a.m. on the first day of the special filing period and continue through 4:00 p.m. the last day of the special filing period.

The secretary of state may take the necessary steps to ensure that this act is implemented on its effective date.

Technical changes are made to correct an RCW code reference and a gender reference.

**Rulemaking Authority:** Authorizes the secretary of state to adopt rules to facilitate and implement electronic filing processes.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.