Chapter 434-215 WAC
DECLARATIONS OF CANDIDACY AND FILING PROCEDURES

(Formerly chapter 434-228 WAC)

Last Update: 6/5/19

WAC

434-215-005 Filing information—Questionnaire—Compiling and dissemination.
434-215-012 Declaration of candidacy.
434-215-015 Write-in declaration of candidacy.
434-215-021 Declaration of candidacy—Precinct committee officer.
434-215-024 Insufficient payment of a filing fee.
434-215-025 Filing fee petitions.
434-215-040 Filing notification.
434-215-050 Use of title, rank, or symbols prohibited.
434-215-060 Duplication of names.
434-215-065 Withdrawal of candidacy.
434-215-070 Electronic filing—Requirements.
434-215-110 Electronic filing—Interlocal agreements.
434-215-120 Political party preference by candidate for partisan office.
434-215-130 Minor political party candidates and independent candidates.
434-215-165 Presidential nominations by major political parties.
434-215-170 Filing qualifications.
434-215-180 Write-in candidates.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

434-215-020 Declaration of candidacy—Precinct committee officer. [Statutory Authority: RCW 29A.04.611. WSR 09-18-098, § 434-215-020, filed 9/1/09, effective 10/2/09; WSR 08-15-052, § 434-215-020, filed 7/11/08, effective 8/11/08. Statutory Authority: RCW 29A.04.611, 2006 c 344. WSR 07-09-035, § 434-215-020, filed 4/11/07, effective 5/12/07. Statutory Authority: RCW 29A.04.611. WSR 06-14-049, § 434-215-020, filed 6/28/06, effective 7/29/06. WSR 02-09-007, recodified as § 434-215-020, filed 4/4/02, effective 4/4/02. Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-228-020, filed 10/13/97, effective 11/13/97. Statutory Authority: 1990 c 59. WSR 92-12-083, § 434-28-020, filed 6/2/92, effective 7/3/92. Statutory Authority: RCW 29.04.080. WSR 84-15-050 (Order 84-2), § 434-28-020, filed 7/16/84; Order 75-1, § 434-28-020, filed 6/26/75.] Repealed by WSR 11-24-064, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630.

434-215-080 Electronic filing—Eligible jurisdictions. [Statutory Authority: RCW 29A.04.611. WSR 05-17-145, § 434-215-080, filed 8/19/05, effective 9/19/05. Statutory Authority: 2002 c 140 § 3. WSR 02-15-156, § 434-215-080, filed 7/23/02, effective 8/23/02.] Repealed by WSR 09-18-098, filed 9/1/09, effective 10/2/09. Statutory Authority: RCW 29A.04.611.

434-215-090 Electronic filing—Required information. [Statutory Authority: RCW 29A.04.611. WSR 05-17-145, § 434-215-090, filed 8/19/05, effective 9/19/05. Statutory Authority: 2002 c 140 § 3. WSR 02-15-156, § 434-215-090, filed 7/23/02, effective 8/23/02.] Repealed by WSR 10-03-072, filed 1/18/10, effective 2/18/10. Statutory Authority: RCW 29A.04.611.

434-215-140 Voids in candidacy and vacancies in office. [Statutory Authority: RCW 29A.04.611. WSR 08-15-052, § 434-215-140, filed 7/11/08, effective 8/11/08.] Repealed by WSR 11-24-064, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630.

434-215-150 No major party ticket. [Statutory Authority: RCW 29A.04.611. WSR 08-15-052, § 434-215-150, filed 7/11/08, effective 8/11/08.] Repealed by WSR 14-06-040, filed 2/26/14, effective 3/29/14. Statutory Authority: RCW 29A.04.611.

434-215-160 Ranked choice voting. [Statutory Authority: RCW 29A.04.611. WSR 08-15-052, § 434-215-160, filed 7/11/08, effective 8/11/08.] Repealed by WSR 10-14-091, filed 7/6/10, effective 8/6/10. Statutory Authority: RCW 29A.04.611, 29A.08.420, 29A.24.131, 29A.40.110, 29A.46.020, and 29A.80.041.

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 and treat the election as though there is a void in candidacy per RCW 29A.24.181.

[Statutory Authority: RCW 29A.04.611. WSR 19-12-115, § 434-215-005, filed 6/5/19, effective 7/6/19. 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. Statutory Authority: RCW 29A.04.611, 29A.08.420, 29A.24.131, 29A.40.110, 29A.46.020, and 29A.80.041. WSR 10-14-091, § 434-215-005, filed 7/6/10, effective 8/6/10. Statutory Authority: RCW 29A.04.611. WSR 09-12-078, § 434-215-005, filed 5/29/09, effective 6/29/09. Statutory Authority: RCW 29A.04.611, 2006 c 344. WSR 07-09-035, § 434-215-005, filed 4/11/07, effective 5/12/07. Statutory Authority: RCW 29A.04.611. WSR 06-14-049, § 434-215-005, filed 6/28/06, effective 7/29/06. Statutory Authority: RCW 29A.04.610. WSR 04-15-089, § 434-215-005, filed 7/16/04, effective 8/16/04. WSR 02-09-007, recodified as § 434-215-005, filed 4/4/02, effective 4/4/02. Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, § 434-228-005, filed 10/13/97, effective 11/13/97.]

WAC 434-215-012 Declaration of candidacy. Declarations of candidacy filed either in person or by mail shall be in substantially the following form:

Washington State Declaration of Candidacy

candidate information *as registered to vote*

first name | middle | last

residential address | city / zip

date of birth | email address | phone number

campaign contact information *for publication*

campaign phone | campaign email

mailing address (if different from residential address) | city / zip

campaign website

ballot information

jurisdiction | office name | position number

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 $ _____ accompanies 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

submission date | voter registration number

office code | fee

10/2018

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.

[Statutory Authority: RCW 29A.04.611, 29A.24.091, 29A.24.311, 29A.60.021, 29A.60.185, 29A.60.170, 29A.60.110, and 29A.60.235. WSR 19-01-102, § 434-215-012, filed 12/18/18, effective 1/18/19. Statutory Authority: RCW 29A.04.611 and 29A.04.620. WSR 16-13-063, § 434-215-012, filed 6/13/16, effective 7/14/16. Statutory Authority:

RCW 29A.04.611. WSR 10-03-072, § 434-215-012, filed 1/18/10, effective 2/18/10; WSR 08-15-052, § 434-215-012, filed 7/11/08, effective 8/11/08; WSR 06-14-049, § 434-215-012, filed 6/28/06, effective 7/29/06. Statutory Authority: 2002 c 140 § 3. WSR 02-15-156, § 434-215-012, filed 7/23/02, effective 8/23/02. WSR 02-09-007, recodified as § 434-215-012, filed 4/4/02, effective 4/4/02. Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-228-012, filed 10/13/97, effective 11/13/97. Statutory Authority: 1990 c 59. WSR 92-12-083, § 434-28-012, filed 6/2/92, effective 7/3/92. Statutory Authority: RCW 29.04.080. WSR 84-15-050 (Order 84-2), § 434-28-012, filed 7/16/84; WSR 80-05-014 (Order 80-1), § 434-28-012, filed 4/8/80.]

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

candidate information *as registered to vote*

first name | middle | last

residential address | city / zip

date of birth | email address | phone number

campaign contact information *for publication*

campaign phone | campaign email

mailing address (if different from residential address) | city / zip

campaign website

ballot information *if qualifying*

I am a write-in candidate for: ○ Primary ○ General

jurisdiction | office name | position number

exact name I would like printed on the ballot if I qualify

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 if filed 19+ days before election day

○ A filing fee of $ _____ accompanies the declaration of candidacy (up to 18 days before election day.)

○ 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

submission date | voter registration number

office code | fee

10/2018

[Statutory Authority: RCW 29A.04.611, 29A.24.091, 29A.24.311, 29A.60.021, 29A.60.185, 29A.60.170, 29A.60.110, and 29A.60.235. WSR 19-01-102, § 434-215-015, filed 12/18/18, effective 1/18/19. 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

03/2012

[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.]

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.

[Statutory Authority: RCW 29A.04.611, 29A.04.255. WSR 11-05-008, § 434-215-024, filed 2/3/11, effective 3/6/11.]

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.

(4) The filing officer shall verify the candidate has submitted sufficient number of valid signatures equal to the filing fee. The first valid signature of a voter counts toward the number of signatures required. Duplicate signatures are invalid.

[Statutory Authority: RCW 29A.04.611, 29A.24.091, 29A.24.311, 29A.60.021, 29A.60.185, 29A.60.170, 29A.60.110, and 29A.60.235. WSR 19-01-102, § 434-215-025, filed 12/18/18, effective 1/18/19. Statutory Authority: RCW 29A.04.611. WSR 14-06-040, § 434-215-025, filed 2/26/14, effective 3/29/14. Statutory Authority: RCW 29A.04.611, 29A.04.255. WSR 11-05-008, § 434-215-025, filed 2/3/11, effective 3/6/11. Statutory Authority: RCW 29A.04.611. WSR 10-03-072, § 434-215-025, filed 1/18/10, effective 2/18/10; WSR 08-15-052, § 434-215-025, filed 7/11/08, effective 8/11/08; WSR 07-09-036, § 434-215-025, filed 4/11/07, effective 5/12/07.]

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.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. WSR 11-24-064, § 434-215-040, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611. WSR 09-18-098, § 434-215-040, filed 9/1/09, effective 10/2/09.]

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 including, but not limited to, Mr., Mrs., Dr., Ph.D., J.D., Gen., except as may be provided by law or administrative rule.

[Statutory Authority: RCW 29A.04.611. WSR 17-12-090, § 434-215-050, filed 6/6/17, effective 7/7/17; WSR 06-23-094, § 434-215-050, filed 11/15/06, effective 12/16/06. WSR 02-09-007, recodified as § 434-215-050, filed 4/4/02, effective 4/4/02. Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-228-050, filed 10/13/97, effective 11/13/97. Statutory Authority: 1990 c 59. WSR 92-12-083, § 434-28-050, filed 6/2/92, effective 7/3/92.]

WAC 434-215-060 Duplication of names. Whenever, in the judgment of the filing officer, two or more candidates have filed for the same office whose names are so similar as to be confusing to voters, he or she shall differentiate between the candidates by the inclusion of additional information in connection with the name as it appears on the ballot. Such differentiation may be made by the inclusion of the candidate's occupation, status as incumbent or challenger, or by any other means which, in the judgment of the filing officer, fairly and impartially distinguishes the candidates. The filing officer may solicit suggestions and input from the candidates involved in order to resolve the situation.

[WSR 02-09-007, recodified as § 434-215-060, filed 4/4/02, effective 4/4/02. Statutory Authority: RCW 29.04.080, 29.04.210, 29.36.150 and 29.79.200. WSR 97-21-045, recodified as § 434-228-060, filed 10/13/97, effective 11/13/97. Statutory Authority: 1990 c 59. WSR 92-12-083, § 434-28-060, filed 6/2/92, effective 7/3/92.]

WAC 434-215-065 Withdrawal of candidacy. Consistent with RCW 29A.24.131, a candidate may withdraw his or her declaration of candidacy at any time before the close of business on the Monday following the last day for candidates to file. The candidate must file a signed request that his or her name not be printed on the ballot. This request to withdraw must be filed with the officer who accepted the declaration of candidacy. A request to withdraw may be filed electronically. Once filed, the withdrawal cannot be revoked. There shall be no withdrawal period for declarations of candidacy filed during special filing periods.

[Statutory Authority: RCW 29A.04.611. WSR 17-12-090, § 434-215-065, filed 6/6/17, effective 7/7/17. Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. WSR 11-24-064, § 434-215-065, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611, 29A.04.255. WSR 11-05-008, § 434-215-065, filed 2/3/11, effective 3/6/11. Statutory Authority: RCW 29A.04.611, 29A.08.420, 29A.24.131, 29A.40.110, 29A.46.020, and 29A.80.041. WSR 10-14-091, § 434-215-065, filed 7/6/10, effective 8/6/10. Statutory Authority: RCW 29A.04.611, 29A.04.530. 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 10-03-072, § 434-215-070, filed 1/18/10, effective 2/18/10; WSR 05-17-145, § 434-215-070, filed 8/19/05, effective 9/19/05. Statutory Authority: 2002 c 140 § 3. WSR 02-15-156, § 434-215-070, filed 7/23/02, effective 8/23/02.]

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.

[Statutory Authority: RCW 29A.04.611. WSR 05-17-145, § 434-215-110, filed 8/19/05, effective 9/19/05. Statutory Authority: 2002 c 140 § 3. WSR 02-15-156, § 434-215-110, filed 7/23/02, effective 8/23/02.]

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 eighteen 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."

[Statutory Authority: RCW 29A.04.611, 29A.24.091, 29A.24.311, 29A.60.021, 29A.60.185, 29A.60.170, 29A.60.110, and 29A.60.235. WSR 19-01-102, § 434-215-120, filed 12/18/18, effective 1/18/19. Statutory Authority: RCW 29A.04.611. WSR 08-15-052, § 434-215-120, filed 7/11/08, effective 8/11/08.]

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.

[Statutory Authority: RCW 29A.04.611. WSR 14-06-040, § 434-215-130, filed 2/26/14, effective 3/29/14; WSR 12-14-074, § 434-215-130, filed 7/2/12, effective 8/2/12; WSR 08-15-052, § 434-215-130, filed 7/11/08, effective 8/11/08.]

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.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. WSR 11-24-064, § 434-215-165, filed 12/6/11, effective 1/6/12.]

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.

[Statutory Authority: RCW 29A.04.611. WSR 10-03-072, § 434-215-170, filed 1/18/10, effective 2/18/10.]

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 8:00 p.m. on election day. If a write-in declaration of candidacy is filed with the filing officer after the close of the regular candidate filing period per RCW 29A.24.050 and more than eighteen days before a primary or election, no filing fee is required.

Candidates filing a write-in declaration of candidacy on or after the eighteenth day before a primary or election must pay a filing fee at the time of filing the declaration. Offices with a fixed annual salary of more than one thousand dollars must pay a filing fee equal to one percent of the annual salary at the time of the regular filing period as per RCW 29A.24.050. For all other offices, a filing fee of twenty-five dollars is required.

[Statutory Authority: RCW 29A.04.611, 29A.24.091, 29A.24.311, 29A.60.021, 29A.60.185, 29A.60.170, 29A.60.110, and 29A.60.235. WSR 19-01-102, § 434-215-180, filed 12/18/18, effective 1/18/19. Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. WSR 11-24-064, § 434-215-180, filed 12/6/11, effective 1/6/12.]