Proposed Substitute House Bill 1448 (H-1319.1)
House State Government and Tribal Relations Committee
By Representative Farivar

Original Bill:

Counties, cities, towns, school districts, fire districts, and port districts are permitted to use ranked choice voting (RCV) in their elections. Requirements for RCV ballot design, vote tabulation, and implementation are provided. The Office of the Secretary of State (OSOS) is required to adopt rules to specify and implement certain requirements. An RCV work group is established to advise and aid the OSOS in developing implementation and support materials for local governments that opt to enact RCV.

Proposed Substitute House Bill (H-1319.1) compared to the Original Bill:

- Provides that the specifications for implementation of ranked choice voting (RCV) do not apply to jurisdictions that adopt RCV prior to the effective date of the implementation section rather than jurisdictions that use RCV on the effective date of the implementation section.

- Eliminates the requirements that the Office of the Secretary of State (OSOS) develop educational materials for the public and provide training for county auditors to implement RCV.

- Eliminates the RCV work group.

- Requires a jurisdiction that adopts a method of ranking candidates to notify the public of the change and create a public education campaign.

- Provides details on the types of materials education campaigns may include.

- Establishes a pilot program to aid and advise King County Elections in supporting individuals with developmental disabilities during the implementation of RCV in the City of Seattle's primary election.

- Requires the pilot program to develop best practices for supporting individuals with developmental disabilities in the implementation of RCV and report on the recommendations to the Legislature and the Office of the Secretary of State.

BILL REQ. #:   H-1319.1/25

ATTY/TYPIST: KS:ajr

BRIEF DESCRIPTION: Increasing representation and voter participation
                      in local elections.

1   AN   ACT   Relating   to   increasing   representation   and   voter
2   participation   in   local   elections;   amending   RCW   29A.60.221,
3   29A.52.112, 29A.52.220, 29A.24.010, 36.32.040, 36.32.050, 35A.12.040,
4   28A.343.320, 29A.04.410, 29A.12.080, and 29A.36.121; reenacting and
5   amending RCW 29A.36.170; adding new sections to chapter 29A.52 RCW;
6   adding a new section to chapter 29A.04 RCW; adding a new section to
7   chapter 52.14 RCW; adding a new section to chapter 53.12 RCW;
8   creating new sections; repealing RCW 29A.04.127; and providing an
9   expiration date.

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

11   NEW SECTION. **Sec. 1.** The legislature finds that jurisdictions
12 throughout the state have been discussing adopting ranked choice
13 voting to elect their officials, with some jurisdictions exploring
14 the concept through resolutions and proposed charter amendments,
15 plaintiffs in Yakima county requesting it as a remedy under the
16 Washington voting rights act in July 2020, and Seattle voters having
17 already chosen it in November 2022. Without legislative guidance,
18 however, local governments and courts considering ranked choice
19 voting must independently develop their own unique methodology to
20 implement it.

1   The legislature wishes to ensure that state law provides
2 consistent and clear rules governing the use of ranked choice voting
3 in Washington. The legislature therefore intends for this act to
4 provide baseline definitions, legal requirements, and high quality
5 voter education guidelines for ranked choice voting elections
6 throughout the state to aid local governments that enact ranked
7 choice voting through popular vote, by action of their governing
8 body, or as a remedy under the Washington voting rights act.

9   NEW SECTION. **Sec. 2.** A new section is added to chapter 29A.52
10 RCW to read as follows:
11   (1) Except as provided in subsections (2) and (3) of this
12 section, a county, city, town, school district, fire district, or
13 port district may conduct its elections using ranked choice voting. A
14 county, city, town, school district, fire district, or port district
15 that adopts ranked choice voting may, but need not, use ranked choice
16 voting for all offices in an election.
17   (2) A city, town, school district, fire district, or port
18 district that has voters in more than one county may conduct an
19 election using ranked choice voting only if:
20   (a) Another city, town, or district that lies entirely within at
21 least two of the counties in which the city, town, or district has
22 voters uses ranked choice voting; or
23   (b) A court orders the use of ranked choice voting as provided in
24 this section as a remedy under RCW 29A.92.110.
25   (3) Ranked choice voting may not be used in an election for an
26 office for which two or fewer candidates are competing.
27   (4) An election using ranked choice voting must meet the
28 following requirements:
29   (a) The county auditor shall design the ballot to allow a voter
30 to rank the candidates for a particular office in order of
31 preference, including one write-in candidate;
32   (b) The county auditor must allow a voter to rank at least five
33 candidates per office. The secretary of state may adopt rules that
34 determine the maximum number of candidates per office that a voter is
35 allowed to rank on a ballot in order to accommodate technical
36 limitations from voting systems and ensure compatibility with all
37 ballot formats;
38   (c) A voter does not need to rank the maximum number of
39 candidates. The county auditor shall count a ballot regardless of how

many candidates the voter has ranked. The county auditor shall not
count votes for rankings made by a voter that are greater than the
maximum number of rankings allowed for each office;

(d) If a voter skips one or more numbers in ranking candidates,
or ranks an invalid write-in candidate, the county auditor shall
count any votes after the skipped number for the voter's next-highest
ranked candidates as if the voter had not skipped the number;

(e) If a voter provides the same number ranking to more than one
candidate, the county auditor may not count that vote ranking for any
candidate and may not count a vote for any subsequent number ranking
for that office;

(f) The election must be one of two types of ranked choice voting
elections. If the election is a single-winner contest, including an
election in which multiple positions with the same name, district
number, or title are dealt with as separate offices, the winner of
each contest must be determined using the instant runoff voting
method, as defined in this section and further provided in secretary
of state rules. If the election is a multiwinner contest in which the
positions are not dealt with as separate offices, the winners must be
determined using the single transferable vote method, as defined in
this section and further provided in secretary of state rules;

(g) If the requisite number of officers have not been elected, or
selected to continue to further rounds of vote tabulation, by reason
of two or more persons having an equal and highest number of votes
for the same office, the official empowered by state law to issue the
original certificate of election shall resolve the tie as provided in
RCW 29A.60.221.

(5) A county, city, town, or district that conducts a general
election for a single-winner contest using ranked choice voting must
hold a primary to winnow candidates for the election to a final list
of five candidates. The primary is not conducted using ranked choice
voting. Voters in the primary may vote for one candidate, and the top
five candidates will be certified as qualified to appear on the
general election ballot. A county, city, town, or district that
conducts a general election for a multiwinner contest using ranked
choice voting may not hold a primary.

(6) A county, city, town, or district that adopts ranked choice
voting must consult with its county auditor to determine the date
when ranked choice voting will be implemented, which must be within
two years following its adoption, unless a specific implementation

date is provided in a court order directing a jurisdiction to use
ranked choice voting as a remedy under RCW 29A.92.110.

(7) The county auditor whose county encompasses a county, city,
town, or district that adopts ranked choice voting is responsible for
the implementation of the system. If a city, town, or district has
voters in two or more counties, each county auditor in which the
city, town, or district has voters is responsible for its
implementation.

(8) The secretary of state shall adopt rules to administer this
section by May 1, 2026. The secretary's rules must address, at
minimum:

(a) Procedures for administering an election that includes voters
in more than one county as provided in subsection (2) of this
section; and

(b) Procedures for tabulating votes under the instant runoff
voting method and single transferable vote method as provided in
subsection (4) of this section.

(9) As used in this section:

(a) "Ranked choice voting" means a method of counting votes in
which votes are tabulated based on a voter's ranking of candidates in
order of preference as provided in this section.

(b) "Instant runoff voting method" means a method of counting
votes in which ballots are counted in rounds and the candidate
receiving the fewest number of votes is eliminated, continuing until
one candidate receives a majority of all votes counted in that round
and is declared the winner.

(c) "Single transferable vote method" means a method of counting
votes in which:

(i) A winning threshold is calculated based on the number of
votes cast and the number of seats to be filled, plus one;

(ii) Ballots are counted in rounds, and at the end of each round
any candidate who receives enough votes to pass the winning threshold
is declared elected. Any votes received by that candidate in excess
of the threshold to win are transferred to other candidates. After
all such votes have been transferred so that no candidate has votes
exceeding the winning threshold, the candidate with the least number
of votes is eliminated, and their votes are transferred to other
candidates in the next round; and

(iii) The counting process stops when the number of elected
candidates equals the number of seats to be filled, or the number of

1 candidates remaining equals the number of seats not yet filled by an
2 elected candidate.
3   (10) This section does not apply to any jurisdiction that adopts
4 ranked choice voting for one or more offices prior to the effective
5 date of this section.

6   **Sec. 3.** RCW 29A.60.221 and 2004 c 271 s 176 are each amended to
7 read as follows:
8   (1) If the requisite number of any federal, state, county, city,
9 or district offices have not been nominated in a primary by reason of
10 two or more persons having an equal and requisite number of votes for
11 being placed on the general election ballot, the official empowered
12 by state law to certify candidates for the general election ballot
13 shall give notice to the several persons so having the equal and
14 requisite number of votes to attend at the appropriate office at the
15 time designated by that official, who shall then and there proceed
16 publicly to decide by lot which of those persons will be declared
17 nominated and placed on the general election ballot.
18   (2) If the requisite number of any federal, state, county, city,
19 district, or precinct officers have not been elected by reason of two
20 or more persons having an equal and highest number of votes for one
21 and the same office, the official empowered by state law to issue the
22 original certificate of election shall give notice to the several
23 persons so having the highest and equal number of votes to attend at
24 the appropriate office at the time to be appointed by that official,
25 who shall then and there proceed publicly to decide by lot which of
26 those persons will be declared duly elected, and the official shall
27 make out and deliver to the person thus duly declared elected a
28 certificate of election.
29   (3) For a tie occurring at any point in the counting process of
30 an election conducted using ranked choice voting as provided in
31 section 2 of this act, the official empowered by state law to certify
32 candidates for the general election ballot shall resolve the tie
33 using the lot method described in this section. If the tie occurs
34 before the final round of counting, the tie must be resolved as
35 expeditiously as possible.

36   NEW SECTION. **Sec. 4.** A new section is added to chapter 29A.04
37 RCW to read as follows:

1   "Primary" or "primary election" means a procedure for winnowing
2   candidates for public office to a final list of two as part of a
3   special or general election, or to a final list of five in a county,
4   city, town, or district election that uses ranked choice voting as
5   provided in section 2 of this act. Each voter has the right to cast a
6   vote for any candidate for each office without any limitation based
7   on party preference or affiliation, of either the voter or the
8   candidate.

9   **Sec. 5.** RCW 29A.36.170 and 2013 c 143 s 1 and 2013 c 11 s 45 are
10 each reenacted and amended to read as follows:
11   For any office for which a primary was held, only the names of
12 the top two candidates will appear on the general election ballot,
13 unless the election will be conducted using ranked choice voting as
14 provided in section 2 of this act, in which case only the names of
15 the top five candidates will appear on the general election ballot;
16 the name of the candidate who received the greatest number of votes
17 will appear first and the candidate who received the next greatest
18 number of votes will appear second. No candidate's name may be
19 printed on the subsequent general election ballot unless he or she
20 receives at least one percent of the total votes cast for that office
21 at the preceding primary, if a primary was conducted. On the ballot
22 at the general election for an office for which no primary was held,
23 the names of the candidates shall be listed in the order determined
24 pursuant to RCW 29A.36.131.

25   **Sec. 6.** RCW 29A.52.112 and 2014 c 7 s 1 are each amended to read
26 as follows:
27   (1) A primary is a first stage in the public process by which
28 voters elect candidates to public office.
29   (2) Whenever candidates for a partisan office are to be elected,
30 the general election must be preceded by a primary conducted under
31 this chapter, unless the general election is a multiwinner contest
32 using ranked choice voting as provided in section 2 of this act.
33   (3) Based upon votes cast at the primary, the top two candidates,
34 or the top five candidates in a primary for a single-winner general
35 election conducted using ranked choice voting as provided in section
36 2 of this act, will be certified as qualified to appear on the
37 general election ballot((, unless only one candidate qualifies as
38 provided in RCW 29A.36.170)).

1 ((~~(3)~~)) <u>(4)</u> No primary may be held for any single county partisan
2 office to fill an unexpired term if, after the last day allowed for
3 candidates to withdraw, only one candidate has filed for the
4 position.

5 ((~~(4)~~)) <u>(5)</u> For partisan office, if a candidate has expressed a
6 party preference on the declaration of candidacy, then that
7 preference will be shown after the name of the candidate on the
8 primary and general election ballots as set forth in rules of the
9 secretary of state. A candidate may choose to express no party
10 preference. Any party preferences are shown for the information of
11 voters only and may in no way limit the options available to voters.

12   **Sec. 7.** RCW 29A.52.220 and 2013 c 195 s 1 are each amended to
13 read as follows:

14   (1) No primary may be held for any single position in any
15 nonpartisan office if, after the last day allowed for candidates to
16 withdraw, there are no more than two candidates filed for the
17 position. The county auditor shall as soon as possible notify all the
18 candidates so affected that the office for which they filed will not
19 appear on the primary ballot.

20   (2) No primary may be held for <u>an office in a county, city, town,</u>
21 <u>or district that is conducting a multiwinner general election using</u>
22 <u>ranked choice voting as provided in section 2 of this act.</u>

23   <u>(3) No primary may be held for</u> the office of commissioner of a
24 park and recreation district or for the office of cemetery district
25 commissioner.

26   ((~~(3)~~)) <u>(4)</u> Names of candidates for offices that do not appear on
27 the primary ballot shall be printed upon the general election ballot
28 in the manner specified by RCW 29A.36.131.

29   **Sec. 8.** RCW 29A.24.010 and 2003 c 111 s 601 are each amended to
30 read as follows:

31   <u>(1)</u> Not less than thirty days before the first day for filing
32 declarations of candidacy under RCW 29A.24.050 for legislative,
33 judicial, county, city, town, or district office, where more than one
34 position with the same name, district number, or title will be voted
35 upon at the succeeding election, the filing officer shall designate
36 the positions to be filled by number<u>, except as provided in</u>
37 <u>subsection (3) of this section</u>.

1   (2) The positions so designated shall be dealt with as separate
2   offices for all election purposes. With the exception of the office
3   of justice of the supreme court, the position numbers shall be
4   assigned, whenever possible, to reflect the position numbers that
5   were used to designate the same positions at the last full-term
6   election for those offices.

7   (3) In an election conducted using ranked choice voting as
8   provided in section 2 of this act in which there is more than one
9   position with the same name, district number, or title, the county,
10 city, town, or district shall choose whether the filing officer will
11 designate the positions to be filled by number and deal with
12 positions as separate offices.

13   **Sec. 9.** RCW 36.32.040 and 2018 c 113 s 205 are each amended to
14 read as follows:

15   (1) Except as provided in subsections (2) and (3) of this
16 section, the qualified electors of each county commissioner district,
17 and they only, shall nominate from among their own number, candidates
18 for the office of county commissioner of such commissioner district
19 to be voted for at the following general election. Such candidates
20 shall be nominated in the same manner as candidates for other county
21 and district offices are nominated in all other respects.

22   (2) ((Where)) Except as provided in subsection (3) of this
23 section, where the commissioners of a county composed entirely of
24 islands with a population of less than thirty-five thousand have
25 chosen to divide the county into unequal-sized commissioner districts
26 pursuant to the exception provided in RCW 36.32.020, the qualified
27 electors of the entire county shall nominate from among their own
28 number who reside within a commissioner district, candidates for the
29 office of county commissioner of such commissioner district to be
30 voted for at the following general election. Such candidates shall be
31 nominated in the same manner as candidates for other county offices
32 are nominated in all other respects.

33   (3) A county may conduct an election for county commissioners
34 using ranked choice voting as defined in section 2 of this act.

35   (4) The commissioners of any county may authorize a change to
36 their electoral system pursuant to RCW 29A.92.040.

37   **Sec. 10.** RCW 36.32.050 and 2018 c 301 s 7 are each amended to
38 read as follows:

1   (1) Except as provided otherwise in subsection (2) of this
 2 section or this chapter, county commissioners shall be elected by the
 3 qualified voters of the county and the person receiving the highest
 4 number of votes for the office of commissioner for the district in
 5 which he or she resides shall be declared duly elected from that
 6 district.

 7   (2) Beginning in 2022, in any noncharter county with a population
 8 of four hundred thousand or more, county commissioners must be
 9 nominated and elected by the qualified electors of the commissioner
10 district in which he or she resides. The person receiving the highest
11 number of votes at a general election for the office of commissioner
12 for the district in which he or she resides must be declared duly
13 elected from that district.

14   (3) A county may conduct an election for county commissioners
15 using ranked choice voting as provided in section 2 of this act.

16   (a) A county that deals with commissioner positions as separate
17 offices and adopts ranked choice voting using the instant runoff
18 voting method as provided in section 2 of this act shall hold a
19 primary to winnow the list of candidates in the district to five.

20   (b) A county that chooses not to deal with commissioner positions
21 as separate offices and instead adopts ranked choice voting in a
22 multiwinner contest using the single transferable vote method as
23 provided in section 2 of this act may not hold a primary for those
24 positions.

25   **Sec. 11.** RCW 35A.12.040 and 2015 c 53 s 52 are each amended to
26 read as follows:

27   (1) Officers shall be elected at biennial municipal elections to
28 be conducted as provided in chapter 35A.29 RCW. The mayor and the
29 councilmembers shall be elected for four-year terms of office and
30 until their successors are elected and qualified and assume office in
31 accordance with RCW 29A.60.280. At any first election upon
32 reorganization, councilmembers shall be elected as provided in RCW
33 35A.02.050. Thereafter the requisite number of councilmembers shall
34 be elected biennially as the terms of their predecessors expire and
35 shall serve for terms of four years. ((The)) Except as provided in
36 subsection (2) of this section, the positions to be filled on the
37 city council shall be designated by consecutive numbers and shall be
38 dealt with as separate offices for all election purposes. Election to
39 positions on the council shall be by majority vote from the city at

large, unless provision is made by charter or ordinance for election
by wards. The mayor and councilmembers shall qualify by taking an
oath or affirmation of office and as may be provided by law, charter,
or ordinance.

(2) If a city or town uses ranked choice voting as provided in
section 2 of this act, the city or town shall choose whether the
council positions to be filled will be designated by number and dealt
with as separate offices.

Sec. 12. RCW 28A.343.320 and 2015 c 53 s 11 are each amended to
read as follows:

(1) Candidates for the position of school director shall file
their declarations of candidacy as provided in Title 29A RCW.

((The)) (2) Except as provided in subsection (3) of this section,
the positions of school directors in each district shall be dealt
with as separate offices for all election purposes, and where more
than one position is to be filled, each candidate shall file for one
of the positions so designated: PROVIDED, That in school districts
containing director districts, or a combination of director districts
and director at large positions, candidates shall file for such
director districts or at large positions. Position numbers shall be
assigned to correspond to director district numbers to the extent
possible.

(3) If the school board uses ranked choice voting as provided in
section 2 of this act, the school board shall choose whether to deal
with the positions of school directors as separate offices for
elections purposes.

NEW SECTION. **Sec. 13.** A new section is added to chapter 52.14
RCW to read as follows:

A board of fire commissioners may conduct an election for fire
commissioner using ranked choice voting as provided in section 2 of
this act.

NEW SECTION. **Sec. 14.** A new section is added to chapter 53.12
RCW to read as follows:

A port commission may conduct an election for port commissioner
using ranked choice voting as provided in section 2 of this act.

1   NEW SECTION. **Sec. 15.** A new section is added to chapter 29A.52
 2   RCW to read as follows:
 3   (1) Whenever a voting jurisdiction changes to a method of ranking
 4   candidates, that jurisdiction, in coordination with the county
 5   auditor, must notify the public of the change and create a public
 6   education campaign focused on familiarizing voters with any unique
 7   elements of the new process pursuant to best practices. A public
 8   education campaign required by this section may include:
 9   (a) Production of education materials and distribution of those
10   materials to each voter of the jurisdiction.
11   (i) The education materials must be clear and understandable and
12   may be developed with input from academics and other scholars of
13   elections, the association of Washington cities, the Washington state
14   association of counties, voting rights and election reform
15   organizations, organizations representing traditionally
16   underrepresented communities in Washington, tribes, and community
17   stakeholders. This standard must be considered in light of the needs
18   of voters, including:
19   (A) Persons with limited English proficiency and for whom English
20   is not their first language;
21   (B) Persons with developmental disabilities and other
22   disabilities that require assistance in understanding the new method;
23   and
24   (b) Creation of an electronic information portal, or website,
25   describing and explaining the changed process for candidate
26   selection.
27   (2) Translation of materials must occur for every language
28   required by federal, state, and local law for voting in the voting
29   jurisdiction changing the method of selecting candidates.
30   (3)(a) In addition to the requirements of this section, the
31   voting jurisdiction making the change may conduct an advertising and
32   education campaign. The advertising and education campaign may use a
33   variety of communication methods determined by factors such as reach,
34   availability, efficacy, and cost. The campaign may use the following
35   communication methods:
36   (i) Advertisements with newspapers serving the voting
37   jurisdiction, either in the print editions of the newspaper or
38   online;

(ii) Digital advertising targeting potential voters in the voting jurisdiction. This may include display, video, and audio advertisements;

(iii) Radio advertisements targeting potential voters in the voting jurisdiction;

(iv) Television advertisements targeting potential voters in the voting jurisdiction;

(v) Presentations and educational forums at community events, service clubs, schools, and other community gatherings as appropriate. Presentations and educational forums should be held in collaboration with local organizations, including those that serve voters with disabilities, young voters, and voters with limited English proficiency;

(vi) Trainings for candidates who will be campaigning under the new method and media that will be covering the election; and

(vii) Instructional materials for public high schools serving students who reside within the voting jurisdiction.

(b) The voting jurisdiction and county auditor may conduct additional notifications or advertising and education efforts in addition to those listed in (a) of this subsection at their discretion.

(c) All advertising and education efforts must clearly identify the voting jurisdiction that is covered under the new method of elections to ensure information is effective and consistent.

(d) In jurisdictions where federal, state, or local law requires services for voting in languages other than English, there must also be advertising and education efforts undertaken in each required non-English language.

NEW SECTION. **Sec. 16.** (1)(a) A pilot program is created to support individuals with developmental disabilities during the implementation of ranked choice voting in the city of Seattle's primary election.

(b) The pilot program shall be administered by an organization led by individuals with developmental disabilities. The organization may contract with other organizations to implement the pilot program as necessary.

(2) The pilot program shall:

(a) Advise and aid King county elections in providing support and
education for individuals with developmental disabilities for the
city of Seattle's implementation of ranked choice voting;

(b) Develop recommendations on best practices for supporting
individuals with developmental disabilities in the implementation of
ranked choice voting; and

(c) By December 31, 2027, and in compliance with RCW 43.01.036,
provide a report to the appropriate committees of the legislature and
the office of the secretary of state detailing its activities and
recommendations.

(3) This section expires January 1, 2028.

    Sec. 17. RCW 29A.04.410 and 2020 c 337 s 1 are each amended to
read as follows:
    (1) Every county, city, town, and district, and the state is
liable for its proportionate share of the costs when such elections
are held in conjunction with other elections held under RCW
29A.04.321 and 29A.04.330, except as provided in subsection (2) of
this section.
    (2) The costs of implementing a ranked choice voting election, as
provided in section 2 of this act, borne by a county must be
apportioned under this section to the jurisdiction using ranked
choice voting. Implementation costs that must be apportioned under
this subsection include the costs associated with:
    (a) Obtaining, upgrading, or developing any tabulation system
components necessary for ranked choice voting, including hardware and
software;
    (b) The use or maintenance of any tabulation system components
necessary for ranked choice voting;
    (c) Hiring, training, and maintaining employees or other
personnel needed to conduct ranked choice voting elections; and
    (d) Voter education and outreach associated with ranked choice
voting.
    (3) Whenever any county, city, town, or district, or the state
holds any primary or election, general or special, on an isolated
date, all costs of such elections must be borne by the county, city,
town, or district concerned, or the state as appropriate.
    (4) The purpose of this section is to clearly establish that the
county is not responsible for any costs involved in the holding of
any city, town, district, state, or federal election.

1   (5) In recovering such election expenses, including a reasonable
2   proration of administrative costs, the county auditor shall certify
3   the cost to the county treasurer with a copy to the clerk or auditor
4   of the city, town, or district concerned, or the secretary of state
5   as appropriate. Upon receipt of such certification relating to a
6   city, town, or district, the county treasurer shall make the transfer
7   from any available and appropriate city, town, or district funds to
8   the county current expense fund or to the county election reserve
9   fund if such a fund is established. Each city, town, or district must
10   be promptly notified by the county treasurer whenever such transfer
11   has been completed. However, in those districts wherein a treasurer,
12   other than the county treasurer, has been appointed such transfer
13   procedure does not apply, but the district shall promptly issue its
14   warrant for payment of election costs. State and federal offices are
15   to be considered one entity for purposes of election cost proration
16   and reimbursement.

17   **Sec. 18.** RCW 29A.12.080 and 2013 c 11 s 22 are each amended to
18   read as follows:
19   No voting system or voting device shall be approved by the
20   secretary of state unless it:
21   (1) Secures to the voter secrecy in the act of voting;
22   (2) Permits the voter to vote for any person for any office and
23   upon any measure that he or she has the right to vote for;
24   (3) Correctly registers all votes cast for any and all persons
25   and for or against any and all measures;
26   (4) Provides that a vote for more than one candidate cannot be
27   cast by one single operation of the voting device or vote tally
28   system except when voting for president and vice president of the
29   United States or in an election using ranked choice voting; and
30   (5) ((Except for functions or capabilities unique to this state,
31   has)) Has been tested and certified by an independent testing
32   authority designated by the United States election assistance
33   commission, except:
34   (a) For functions or capabilities unique to this state; or
35   (b) For stand-alone components of voting systems that have been
36   tested by an independent testing authority designated by the United
37   States election assistance commission but that cannot be officially
38   "certified" because the authority can certify only complete voting
39   systems.

1   **Sec. 19.** RCW 29A.36.121 and 2013 c 11 s 42 are each amended to
2   read as follows:
3   (1) The positions or offices on a primary consolidated ballot
4   shall be arranged in substantially the following order: United States
5   senator; United States representative; governor; lieutenant governor;
6   secretary of state; state treasurer; state auditor; attorney general;
7   commissioner of public lands; superintendent of public instruction;
8   insurance commissioner; state senator; state representative; county
9   officers; justices of the supreme court; judges of the court of
10 appeals; judges of the superior court; and judges of the district
11 court. ((For)) Except as provided in subsection (3) of this section,
12 for all other jurisdictions on the primary ballot, the offices in
13 each jurisdiction shall be grouped together and be in the order of
14 the position numbers assigned to those offices, if any.
15   (2) The order of the positions or offices on a general election
16 ballot shall be substantially the same as on a primary ballot except
17 that state ballot issues must be placed before all offices. The
18 offices of president and vice president of the United States shall
19 precede all other offices on a presidential election ballot. The
20 positions on a ballot to be assigned to ballot measures regarding
21 local units of government shall be established by the secretary of
22 state by rule.
23   (3) All offices that are elected using ranked choice voting as
24 provided in section 2 of this act must be grouped together, appearing
25 consecutively and in an order consistent with subsections (1) and (2)
26 of this section. The county auditor may, in the auditor's discretion,
27 place the grouping of offices elected using ranked choice voting at
28 any place on the ballot, except that the grouping of offices may not
29 be placed before any office that is required to come before it under
30 subsections (1) and (2) of this section.

31   NEW SECTION. **Sec. 20.** RCW 29A.04.127 (Primary) and 2005 c 2 s 5
32 & 2003 c 111 s 122 are each repealed.

--- **END** ---