

**Chapter 29A.24 RCW
FILING FOR OFFICE**

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GENERAL

RCW 29A.24.010 Officials to designate position numbers, when—Effect. Not less than thirty days before the first day for filing declarations of candidacy under RCW 29A.24.050 for legislative, judicial, county, city, town, or district office, where more than one position with the same name, district number, or title will be voted upon at the succeeding election, the filing officer shall designate the positions to be filled by number.

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

offices. [2003 c 111 s 601. Prior: 1990 c 59 s 79; 1965 c 52 s 1. Formerly RCW 29.15.130, 29.18.015.]

RCW 29A.24.020 Designation of short terms, full terms, and unexpired terms—Filing declarations—Election to both short and full terms. If at the same election there are short terms or full terms and unexpired terms of office to be filled, the filing officer shall distinguish them and designate the short term, the full term, and the unexpired term, as such, or by use of the words "short term," "unexpired two year term," or "four year term," as the case may be.

When both a short term and a full term for the same position are scheduled to be voted upon, or when a short term is created after the close of the filing period, a single declaration of candidacy accompanied by a single filing fee shall be construed as a filing for both the short term and the full term and the name of such candidate shall appear upon the ballot for the position sought with the designation "short term and full term." The candidate elected to both such terms shall be sworn into and assume office for the short term as soon as the election returns have been certified and shall again be sworn into office for the full term. [2013 c 11 s 30; 2003 c 111 s 602. Prior: 1990 c 59 s 92; 1975-'76 2nd ex.s. c 120 s 4; 1965 c 9 s 29.21.140; prior: (i) 1927 c 155 s 1, part; 1925 ex.s. c 68 s 1, part; 1921 c 116 s 1, part; 1919 c 85 s 1, part; 1911 c 101 s 1, part; 1909 c 82 s 11, part; 1907 c 209 s 38, part; RRS s 5212, part. (ii) 1933 c 85 s 1, part; RRS s 5213-1, part. Formerly RCW 29.15.140, 29.21.140.]

Severability—1975-'76 2nd ex.s. c 120: See note following RCW 29A.52.210.

Term of person elected to fill vacancy: RCW 42.12.030.

Vacancies in public office, how filled: RCW 42.12.010.

RCW 29A.24.031 Declaration of candidacy. A candidate who desires to have his or her name printed on the ballot for election to an office other than president of the United States, vice president of the United States, or an office for which ownership of property is a prerequisite to voting shall complete and file a declaration of candidacy. The secretary of state shall adopt, by rule, a declaration of candidacy form for the office of precinct committee officer and a separate standard form for candidates for all other offices filing under this chapter. Included on the standard form shall be:

(1) A place for the candidate to declare that he or she is a registered voter within the jurisdiction of the office for which he or she is filing, and the address at which he or she is registered;

(2) A place for the candidate to indicate the position for which he or she is filing;

(3) A place for the candidate to state a party preference, if the office is a partisan office;

(4) A place for the candidate to indicate the amount of the filing fee accompanying the declaration of candidacy or for the candidate to indicate that he or she is filing a filing fee petition in lieu of the filing fee under RCW 29A.24.091;

(5) A place for the candidate to sign the declaration of candidacy, stating that the information provided on the form is true and swearing or affirming that he or she will support the Constitution and laws of the United States and the Constitution and laws of the state of Washington.

In the case of a declaration of candidacy filed electronically, submission of the form constitutes agreement that the information provided with the filing is true, that he or she will support the Constitutions and laws of the United States and the state of Washington, and that he or she agrees to electronic payment of the filing fee established in RCW 29A.24.091.

The secretary of state may require any other information on the form he or she deems appropriate to facilitate the filing process. [2013 c 11 s 31; 2004 c 271 s 158.]

RCW 29A.24.040 Declaration of candidacy—Electronic filing. A candidate may file a declaration of candidacy for an office by electronic means on a system specifically designed and authorized by a filing officer to accept filings.

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

(2) Electronic filing may begin at 8:00 a.m. the first day of the filing period and continue through 5:00 p.m. the last day of the filing period. [2023 c 394 s 2; 2011 c 349 s 6; 2006 c 344 s 5; 2003 c 111 s 604. Prior: 2002 c 140 s 2. Formerly RCW 29.15.044.]

Effective date—2011 c 349: See note following RCW 29A.04.255.

Effective date—2006 c 344 ss 1-16 and 18-40: See note following RCW 29A.04.311.

Implementation—2002 c 140: "The secretary of state may take the necessary steps to ensure that this act is implemented on its effective date." [2002 c 140 s 5.]

Captions not law—2002 c 140: "Section captions used in this act are not part of the law." [2002 c 140 s 6.]

RCW 29A.24.050 Declaration of candidacy—Certain offices, when filed. Except where otherwise provided by this title, declarations of candidacy for the following offices shall be filed between 8:00 a.m. and 5:00 p.m. with the filing officer beginning the first Monday in May and ending the following Friday in the year in which the office is scheduled to be voted upon:

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

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

This section supersedes all other statutes that provide for a different filing period for these offices. [2023 c 394 s 1; 2011 c

349 s 7; 2006 c 344 s 6; 2003 c 111 s 605. Prior: 1990 c 59 s 81; 1986 c 167 s 8; 1984 c 142 s 2. Formerly RCW 29.15.020, 29.18.025.]

Effective date—2011 c 349: See note following RCW 29A.04.255.

Effective date—2006 c 344 ss 1-16 and 18-40: See note following RCW 29A.04.311.

Severability—1986 c 167: See note following RCW 29A.16.040.

Intent—1984 c 142: "It is the intention of the legislature that this act shall provide an equitable qualifying procedure for candidates who, at the time of filing, lack sufficient assets or income to pay the filing fees otherwise required of candidates for public office." [1984 c 142 s 1.]

RCW 29A.24.060 Candidates' names—Nicknames. When filing for office, a candidate may indicate the manner in which he or she desires his or her name to be printed on the ballot. For filing purposes, a candidate may use a nickname by which he or she is commonly known as his or her first name, but the last name shall be the name under which he or she is registered to vote.

No candidate may:

- (1) Use a nickname that denotes present or past occupation, including military rank;
 - (2) Use a nickname that denotes the candidate's position on issues or political affiliation;
 - (3) Use a nickname designed intentionally to mislead voters.
- [2003 c 111 s 606; 1990 c 59 s 83. Formerly RCW 29.15.090.]

RCW 29A.24.070 Declaration of candidacy—Where filed—Copy to public disclosure commission. (1) Declarations of candidacy shall be filed with the following filing officers:

(a) The secretary of state for declarations of candidacy for statewide offices, United States senate, United States house of representatives, Washington state legislature, court of appeals, and superior court. The secretary of state shall establish contingency plans, consistent with this subsection, to support candidate filing for state legislative candidates who have not yet filed their declaration of candidacy in the case that a localized or system-wide internet outage or a disruption to the secretary of state's candidate filing website occurs during the two hours immediately preceding the filing deadline. The secretary of state shall immediately process all filings received pursuant to the contingency plan;

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

(2) Each official with whom declarations of candidacy are filed under this section, within one business day following the closing of the applicable filing period, shall transmit to the public disclosure commission the information required in RCW 29A.24.031 (1) through (4) for each declaration of candidacy filed with the official's office during such filing period or a list containing the name of each candidate who files such a declaration with the official's office during such filing period together with a precise identification of the position sought by each such candidate and the date on which each such declaration was filed. Such official, within three days following the receipt of any letter withdrawing a person's name as a candidate, shall also forward a copy of such withdrawal letter to the public disclosure commission. [2023 c 394 s 3; 2009 c 106 s 1; 2006 c 263 s 614; 2005 c 221 s 1; 2003 c 111 s 607; 2002 c 140 s 4; 1998 c 22 s 1; 1990 c 59 s 84; 1977 ex.s. c 361 s 30; 1975-'76 2nd ex.s. c 112 s 1; 1965 c 9 s 29.18.040. Prior: 1907 c 209 s 7; RRS s 5184. Formerly RCW 29.15.030, 29.18.040.]

Findings—Purpose—Part headings not law—2006 c 263: See notes following RCW 28A.150.230.

Implementation—Captions not law—2002 c 140: See notes following RCW 29A.24.040.

Effective date—Severability—1977 ex.s. c 361: See notes following RCW 29A.16.040.

Construction—1975-'76 2nd ex.s. c 112: See RCW 42.17A.907.

Public disclosure—Campaign finances, lobbying, records: Chapter 42.17A RCW.

RCW 29A.24.072 Preservation of declarations of candidacy. The secretary of state and each county auditor shall preserve all declarations of candidacy filed in their respective offices for six months. All declarations of candidacy must be open to public inspection. [2003 c 111 s 501; 1965 c 9 s 29.27.090. Prior: 1921 c 178 s 1, part; 1915 c 11 s 1, part; 1907 c 130 s 1, part; 1889 p 402 s 7, part; Code 1881 s 3067, part; 1865 p 30 s 1, part; RRS s 5171, part. Formerly RCW 29A.20.010, 29.27.090.]

RCW 29A.24.075 Qualifications for filing, appearance on ballot.

(1) A person filing a declaration of candidacy for an office shall, at the time of filing, be a registered voter and possess the qualifications specified by law for persons who may be elected to the office.

(2) Excluding the office of precinct committee officer or a temporary elected position such as a charter review board member or freeholder, no person may file for more than one office.

(3) The name of a candidate for an office shall not appear on a ballot for that office unless, except for judge of the superior court and as provided in RCW 3.50.057, the candidate is, at the time the candidate's declaration of candidacy is filed, properly registered to vote in the geographic area represented by the office. For the

purposes of this section, each geographic area in which registered voters may cast ballots for an office is represented by that office. If a person elected to an office must be nominated from a district or similar division of the geographic area represented by the office, the name of a candidate for the office shall not appear on a primary ballot for that office unless the candidate is, at the time the candidate's declaration of candidacy is filed, properly registered to vote in that district or division. The officer with whom declarations of candidacy must be filed under this title shall review each such declaration filed regarding compliance with this subsection.

(4) The requirements of voter registration and residence within the geographic area of a district do not apply to candidates for congressional office. Qualifications for the United States congress are specified in the United States Constitution. [2013 c 11 s 25; 2004 c 271 s 153. Formerly RCW 29A.20.021.]

RCW 29A.24.081 Declaration—Filing by mail. Any candidate may mail a declaration of candidacy for an office to the filing officer. Such declarations of candidacy shall be processed by the filing officer in the following manner:

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

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

(3) Any declaration of candidacy received by the filing officer after 5:00 p.m. on the last day for candidates to file for office shall be rejected and returned to the candidate attempting to file it. [2023 c 394 s 4; 2011 c 10 s 27; 2004 c 271 s 159.]

Notice to registered poll voters—Elections by mail—2011 c 10:
See note following RCW 29A.04.008.

RCW 29A.24.091 Declaration—Fees and petitions. (1) A filing fee of ten dollars shall accompany the declaration of candidacy for any office with a fixed annual salary of one thousand dollars or less. A filing fee equal to one percent of the annual salary of the office at the time of filing shall accompany the declaration of candidacy for any office with a fixed annual salary of more than one thousand dollars per annum. No filing fee need accompany a declaration of candidacy for precinct committee officer or any office for which compensation is on a per diem or per meeting attended basis, or any declaration of candidacy for a write-in candidate filed after the close of filing and more than eighteen days prior to a primary or election.

(2) A filing fee of twenty-five dollars shall accompany the declaration of candidacy for write-in candidates for any office with a

fixed annual salary of one thousand dollars or less if filed eighteen days or less prior to a primary or election.

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

(4) A candidate who lacks sufficient assets or income at the time of filing to pay the filing fee required by this section shall submit with the candidate's declaration of candidacy a filing fee petition. The petition shall contain not less than a number of signatures of registered voters equal to the number of dollars of the filing fee. The signatures shall be of voters registered to vote within the jurisdiction of the office for which the candidate is filing. [2023 c 394 s 5; 2018 c 187 s 1; 2009 c 106 s 2; 2006 c 206 s 3; 2005 c 221 s 2; 2004 c 271 s 160.]

RCW 29A.24.095 Distribution of filing fees. Fees paid when filing for office must be collected by the filing officer and distributed as follows:

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

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

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

(4) When the candidacy is for any other office, the fees shall be retained by the office of the filing officer. [2023 c 394 s 6.]

RCW 29A.24.101 Filing fee petition—Form. (1) The filing fee petition authorized by RCW 29A.24.091 must be printed on sheets of uniform color and size, must include a place for each individual to sign and print his or her name and the address, city, and county at which he or she is registered to vote, and must contain no more than twenty numbered lines.

(2) The filing fee petition must be in substantially the following form:

The warning prescribed by RCW 29A.72.140; followed by:

We, the undersigned registered voters of (the state of Washington or the political subdivision for which the nomination is made) , hereby petition that the name of (candidate's name) be printed on the official primary ballot for the office of (insert name of office) .

[2013 c 11 s 32; 2006 c 206 s 4; 2004 c 271 s 114.]

RCW 29A.24.111 Petitions—Rejection—Acceptance, canvass of signatures—Judicial review. Filing fee petitions may be rejected for the following reasons:

- (1) The petition is not in the proper form;
- (2) The petition clearly bears insufficient signatures;
- (3) The petition is not accompanied by a declaration of candidacy;
- (4) The time within which the petition and the declaration of candidacy could have been filed has expired.

If the petition is accepted, the officer with whom it is filed shall canvass the signatures contained on it and shall reject the signatures of those persons who are not registered voters and the signatures of those persons who are not registered to vote within the jurisdiction of the office for which the filing fee petition is filed. He or she shall additionally reject any signature that appears on the filing fee petitions of two or more candidates for the same office and shall also reject, each time it appears, the name of any person who signs the same petition more than once.

If the officer with whom the petition is filed refuses to accept the petition or refuses to certify the petition as bearing sufficient valid signatures, the person filing the petition may appeal that action to the superior court. The application for judicial review shall take precedence over other cases and matters and shall be speedily heard and determined. [2006 c 206 s 5; 2004 c 271 s 161.]

RCW 29A.24.131 Withdrawal of candidacy. A candidate may withdraw the candidate's declaration of candidacy at any time before 5:00 p.m. on the Monday following the last day for candidates to file under RCW 29A.24.050 by filing, with the officer with whom the declaration of candidacy was filed, a signed request that the candidate's name not be printed on the ballot. There shall be no withdrawal period for declarations of candidacy filed during special filing periods held under this title. No filing fee may be refunded to any candidate who withdraws under this section. Notice of the deadline for withdrawal of candidacy and that the filing fee is not refundable shall be given to each candidate at the time the candidate files. [2023 c 394 s 7; 2011 c 349 s 8; 2004 c 271 s 115.]

Effective date—2011 c 349: See note following RCW 29A.04.255.

RCW 29A.24.141 Void in candidacy. A void in candidacy occurs when an election has been scheduled and no valid declaration of candidacy has been filed for the position or all persons filing such valid declarations of candidacy have died or been disqualified. [2011 c 349 s 9; 2004 c 271 s 162.]

Effective date—2011 c 349: See note following RCW 29A.04.255.

RCW 29A.24.171 Vacancies in office. (1) If, prior to the first day of the regular filing period, a vacancy occurs in an office that is not scheduled to appear on the general election ballot, leaving an unexpired term for which a successor must be elected at the next general election, filings for that office shall be accepted during the

regular filing period. The filing officer shall provide notice of the vacancy and filing period to newspapers, radio, and television in the county, and online. The position shall appear on the primary and general election ballots unless no primary is required or unless a candidate for superior court judge is entitled to a certificate of election pursuant to Article 4 [IV], section 29 of the state Constitution.

(2) If, on the first day of the regular filing period or later, a vacancy occurs in an office that is not scheduled to appear on the general election ballot, leaving an unexpired term, the election of the successor shall occur at the next succeeding general election that the office is allowed by law to have an election. [2011 c 349 s 10; 2006 c 344 s 7; 2004 c 271 s 165.]

Effective date—2011 c 349 ss 10-12, 27, 28, and 30: "Sections 10 through 12, 27, 28, and 30 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately [May 16, 2011]." [2011 c 349 s 34.]

Effective date—2006 c 344 ss 1-16 and 18-40: See note following RCW 29A.04.311.

RCW 29A.24.181 Regular filing period—Voids in candidacy. (1) If a void in candidacy occurs following the regular filing period and deadline to withdraw, but prior to the day of the primary, filings for that office shall be reopened for a period of three normal business days, such three-day period to be fixed by the filing officer. The filing officer shall provide notice of the special filing period to newspapers, radio, and television in the county, and online. The candidate receiving a plurality of the votes cast for that office in the general election is deemed elected.

(2) This section does not apply to voids in candidacy in the office of precinct committee officer, which are filled by appointment pursuant to *RCW 29A.28.071. [2011 c 349 s 11; 2006 c 344 s 8; 2004 c 271 s 166.]

***Reviser's note:** RCW 29A.28.071 was recodified as RCW 29A.80.031 pursuant to 2013 c 11 s 93.

Effective date—2011 c 349 ss 10-12, 27, 28, and 30: See note following RCW 29A.24.171.

Effective date—2006 c 344 ss 1-16 and 18-40: See note following RCW 29A.04.311.

RCW 29A.24.191 Scheduled election lapses, when. A scheduled election shall be lapsed, the office deemed stricken from the ballot, no purported write-in votes counted, and no candidate certified as elected, when a void in candidacy occurs following the special three-day filing period required by RCW 29A.24.181. [2011 c 349 s 12; 2006 c 344 s 9; 2004 c 271 s 167.]

Effective date—2011 c 349 ss 10-12, 27, 28, and 30: See note following RCW 29A.24.171.

Effective date—2006 c 344 ss 1-16 and 18-40: See note following RCW 29A.04.311.

RCW 29A.24.201 Lapse of election when no filing for single positions—Effect. If after both the normal filing period and special three-day filing period as provided by RCW 29A.24.171 and 29A.24.181 have passed, no candidate has filed for any single city, town, or district position to be filled, the election for such position shall be deemed lapsed, the office deemed stricken from the ballot and no write-in votes counted. In such instance, the incumbent occupying such position shall remain in office and continue to serve until a successor is elected at the next election when such positions are voted upon. [2004 c 271 s 190.]

RCW 29A.24.220 Void in candidacy for water-sewer districts—Fewer than one hundred residents. A void in candidacy in a water-sewer district with fewer than one hundred residents may be filled in accordance with RCW 57.12.035. [2007 c 383 s 2.]

WRITE-IN CANDIDATES

RCW 29A.24.311 Write-in voting—Candidates, declaration. (1) Any person who desires to be a write-in candidate shall file a declaration of candidacy with the officer designated in RCW 29A.24.070 not later than 8:00 p.m. on the day of the primary or election. A write-in declaration of candidacy is timely if filed by this deadline. No votes shall be counted for a write-in candidate who has not properly filed a write-in declaration of candidacy.

(2) Votes cast for write-in candidates who have filed such declarations of candidacy need only specify the name of the candidate in the appropriate location on the ballot in order to be counted.

(3) No person may file as a write-in candidate where:

(a) At a general election, the person attempting to file either filed as a write-in candidate for the same office at the preceding primary or the person's name was printed on the ballot for the same office at the preceding primary;

(b) The person attempting to file as a write-in candidate has already filed a valid write-in declaration for that primary or election;

(c) The name of the person attempting to file is already printed on the ballot as a candidate for another office, unless the other office is precinct committee officer or a temporary elected position, such as charter review board member or freeholder;

(d) The office filed for is precinct committee officer.

(4) The declaration of candidacy shall be similar to that required by RCW 29A.24.031. No write-in candidate filing under this section may be included in any voters' pamphlet produced under chapter 29A.32 RCW unless that candidate qualifies to have his or her name printed on the general election ballot. The legislative authority of any jurisdiction producing a local voters' pamphlet under chapter 29A.32 RCW may provide, by ordinance, for the inclusion of write-in

candidates in such pamphlets. [2018 c 187 s 2; 2013 c 11 s 91; 2012 c 89 s 2; 2011 c 349 s 13; 2004 c 271 s 117.]

Intent—Finding—2012 c 89: "The United States district court, western district of Washington, ruled that Washington's method of electing political party precinct committee officers is unconstitutional based on the associational rights of political parties. The court stated that Washington may decide to implement elections for precinct committee officer in a manner not yet conceived but ultimately satisfactory to the political parties. Washington may even implement these elections in a way that severely burdens the political parties' associational rights but does so in a manner narrowly tailored to serve a compelling governmental interest. The major political parties stated in court that they might be satisfied of party membership if a voter affirms affiliation with the particular party. Toward this end, the legislature has worked closely with the major political parties to develop a system of electing precinct committee officers that the parties support, that will protect the secrecy of the ballot, and will not increase burdens placed on local election officials. Therefore, it is the intent of the legislature to remedy the unconstitutional method of selecting precinct committee officers by implementing a provision requiring voters to affirm an affiliation with the appropriate party in order to vote in a race for precinct committee officer in that party. The legislature finds that the office of precinct committee officer itself is both a constitutionally recognized and authorized office with certain duties outlined in state law and the state Constitution." [2012 c 89 s 1.]

Effective date—2012 c 89: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 29, 2012]." [2012 c 89 s 7.]

Effective date—2011 c 349: See note following RCW 29A.04.255.

RCW 29A.24.320 Write-in candidates—Notice to auditors, ballot counters. The secretary of state shall notify each county auditor of any declarations filed with the secretary under RCW 29A.24.311 for offices appearing on the ballot in that county. The county auditor shall ensure that those persons charged with counting the ballots for a primary or election are notified of all valid write-in candidates before the tabulation of those ballots. [2013 c 11 s 33; 2003 c 111 s 623. Prior: 1988 c 181 s 2. Formerly RCW 29.04.190.]