

Procedures for

Filing for Public Elective Office In Washington State

2009



Washington
Secretary of State
SAM REED

Procedures for
**Filing for Public Elective Office
in Washington State**

Contents

Definitions 1
Overview 3
Declarations of Candidacy 4
 Dates to File 4
 Where to File 4
 Filing Fees 4-5
 Alternative to Filing Fees 5
 Withdrawing Declarations of Candidacy 5
Special Filing Period 6
Voids in Candidacy 6
Vacancies in Office 6
Lapsed Elections 7
Write-In Candidates 7
Voters' Pamphlet 8
Information & Assistance 8

Forms and Documents

[Filing Fee Petition](#)

[Write-in Declaration of Candidacy](#)

[Getting Your Information to Voters in Washington State](#)



In Washington we enjoy a unique tradition of promoting citizen involvement in our political system. Under the populist provisions of our state constitution, every voter has the right to run for office and to have his or her name appear on the ballot without prior approval from a political party.

Washington residents also enjoy other special rights, such as the right to initiative and referendum, the right to recall elected officials, and the right to a state Voters' Pamphlet containing detailed information on ballot issues and candidates.

The procedures for seeking elective office in Washington are grounded in our heritage of encouraging citizens to participate in our political process. This publication explains the major features of state election law relating to filing for office. Please note that it is not intended to be a substitute for the statutes and regulations governing this process but rather should be read in conjunction with them.

If you have questions or need additional information, please contact your County Elections Department or the Secretary of State's Elections Division. We will be happy to assist you.

A handwritten signature in black ink that reads "Sam Reed".

Sam Reed
Secretary of State

Definitions

County Auditor refers to either the County Auditor or another county officer having overall responsibility for voter registration and state and local elections. In King County, the Elections Division Director is responsible for voter registration and elections. In all other counties it is the County Auditor.

The **Declaration of Candidacy** form is used to file for elective office.

A **Filing Fee Petition** is a petition submitted in lieu of the filing fee. The filing fee petition is signed by individuals who support the candidacy of a person who lacks adequate financial resources at the time of filing to pay the filing fee.

The **Filing Officer** is the person with whom a candidate files the Declaration of Candidacy form. For candidates filing for federal office, statewide office, or legislative or judicial districts that cross county lines, the filing officer is the Secretary of State. Candidates filing for legislative or judicial districts within one county have the choice of filing with either the Secretary of State or the County Auditor. Candidates filing for any other office file with the County Auditor.

The **General Election** is a statewide election held on the first Tuesday after the first Monday in November.

A **Lapsed Election** is an election that is not held because no candidate filed at the regular or special filing period.

A **Local Voters' Pamphlet** is a county or city publication that provides information about candidates, ballot measures, and other material related to a primary, special election, or general election.

A **Nonpartisan Office** is an office for which candidates do not indicate a party preference. No party designation appears on the ballot.

A **Partisan Office** is a public office for which a candidate may indicate a political party preference on his or her Declaration of Candidacy. That preference will appear on the primary and general election ballots in conjunction with his or her name. Statement of party preference does not imply that the candidate is nominated, endorsed, or approved by the party.

A **Primary** is a process of winnowing a field of candidates for public office. The two candidates with the most votes will go on to appear on a special or general election ballot. Registered voters do not have to declare a party affiliation to participate, and may choose amongst all the candidates running for each office.

A **Special Election** is any election that is not a General Election.

A **Special Filing Period** is opened for three business days if a vacancy in office or a void in candidacy occurs. The time period in which the vacancy or void occurs will determine whether candidates who file during the special filing period will appear on the Primary or the General Election ballot.

A **Vacancy** in office occurs when the person in office resigns, dies, or becomes disqualified.

A **Void in Candidacy** occurs when no valid Declarations of Candidacy were filed, or all persons who filed die or are disqualified. There is no void in candidacy as long as there is at least one candidate.

The **State Voters' Pamphlet** is a publication of the Office of the Secretary of State that provides information about candidates, ballot measures, and other material related to the election. A state voters' pamphlet is distributed to every household in Washington.

Overview

The information contained in this booklet is specific to Washington State public elective offices. For those wishing to run as candidates for the offices of President and Vice President of the United States, please refer to “[Procedures for Appearing on the Presidential Ballot in Washington State](#),” available from the Secretary of State and on line at www.secstate.wa.gov/elections . For those wishing to run for a political party Precinct Committee Officer position, please refer to the [Revised Code of Washington Title 29A Chapter 80](#).

Partisan Offices

A Declaration of Candidacy must be filed by every candidate seeking an elective office in Washington. Candidates for partisan offices are subject to the primary. The two candidates receiving the highest number of votes cast in a race will advance to the General Election ballot. Party preference plays no role in determining how candidates are elected to public office.

Nonpartisan Offices

Candidate filing procedures for nonpartisan offices are the same as for partisan offices, except that a statement of party preference does not appear on the ballot.

Candidate Filing Procedures for Public Elective Office

Declarations of Candidacy

All candidates, except those seeking the office of President and Vice President, are required to submit a Declaration of Candidacy when filing for public office. Forms are available at the Office of the Secretary of State and County Auditors' Offices prior to the filing period as part of the candidate filing packet. Forms may also be downloaded from the Secretary of State's website at www.secstate.wa.gov.

A candidate for partisan office may state his or her preference for a political party, or choose to state no party preference. A candidate is not required to obtain approval from a political party in order to state a preference for that party. A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate.

If a candidate states his or her party preference on the Declaration of Candidacy, the candidate may use up to sixteen characters for the name of the political party. A candidate may also choose to not state a preference for a political party.

A candidate's party preference, or the fact that the candidate states no party preference, will 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.

Dates to File the Declaration of Candidacy

The regular candidate filing period starts on the first Monday in June and ends the following Friday. Candidate filings may be accepted by mail beginning 10 business days before the regular filing period.

Where to File the Declaration of Candidacy

Declarations of Candidacy for federal office, statewide office, and legislative or judicial districts that cross county lines are filed with the Office of the Secretary of State. Candidates for legislative or judicial districts within one county have the choice of filing with either the Office of the Secretary of State or the County Auditor. Declarations of Candidacy for all other offices are filed with the County Auditor.

Candidates filing with the Office of the Secretary of State may file online at www.secstate.wa.gov beginning at 9:00 a.m. on the first Monday in June through 4:00 p.m. the following Friday. In the case of a special three-day filing period, filings made via the internet may be submitted beginning at 9:00 a.m. the first day of the special filing period through 4:00 p.m. the last day of the special filing period.

Filing Fees

Candidates for most offices must submit a filing fee along with the Declaration of Candidacy. The fee structure is as follows:

- Candidates for offices that do not have a fixed annual salary pay no filing fee;
- Candidates for any office with an annual salary of \$1,000 or less pay a filing fee of \$10; and

- Candidates for all other offices pay a fee equal to 1 percent of the annual salary for the office. (For example, if the office has an annual salary of \$41,280 the filing fee will be \$412.80.)

A fee schedule for state offices is available at www.secstate.wa.gov/elections .

Alternative to Filing Fees

Washington State provides an alternate method for meeting the filing fee requirement for candidates who do not have sufficient assets or income at the time of filing to pay the filing fee. Candidates meeting this criterion may submit a filing fee petition.

The Declaration of Candidacy requires a candidate to check a box indicating that the form is accompanied with the required filing fee, or the candidate is without sufficient assets or income to pay the fee and is therefore submitting a filing fee petition in lieu of the fee. The filing fee petition must accompany the Declaration of Candidacy form.

Candidates are not permitted to pay a portion of the fee and submit the balance in petition signatures. To be accepted, the filing fee petition must contain at least one valid signature for each whole dollar of the required filing fee. For example, if the filing fee is \$412.80, a filing fee petition must contain at least 412 valid signatures. Additional signatures should be submitted to allow for invalid signatures.

Signatures submitted on a filing fee petition must be of registered voters from the jurisdiction for which the candidate is filing. For example, if the candidate is filing for State Representative of the 1st Legislative District, the signatures must be of voters registered in the 1st Legislative District.

The filing officer may reject any filing fee petition that is not in proper form, clearly bears insufficient signatures, is not accompanied by the Declaration of Candidacy, or is filed after the close of the filing period.

Rejection of a petition may be appealed to the Superior Court in the county where the petition is filed.

Withdrawals

A candidate may withdraw his or her Declaration of Candidacy until the close of business on the Thursday following the filing period. The County Auditor determines the date of withdrawal for candidates of cities, towns, or special purpose districts. The candidate must be notified of the deadline for withdrawal when the Declaration of Candidacy is filed.

All withdrawals must be made in writing and be received by the filing officer prior to the appropriate deadline.

PLEASE NOTE: Filing fees are not refundable.

Special Filing Period

In the event that there is a void in candidacy because no one filed, or a vacancy in office, the filing officer opens a special filing period. The filing officer must notify press and other available media of the time and place for filing Declarations of Candidacy for the specific office. Special filing periods remain open for three days.

Candidate filing in a special filing period is conducted in the same manner and with the same filing officer as a regular filing period for the office.

If the vacancy in office or void in candidacy occurs on or after the eleventh Tuesday prior to the General Election, no election is held. The appointee will remain in office until the next election for that office.

Voids in Candidacy

A void in candidacy happens only if, after the last day to withdraw, one of the following occurs.

- No candidate has filed for the office
- All candidates who filed have withdrawn
- All candidates who have filed died or have been disqualified

There is no void in candidacy as long as there is at least one candidate.

Vacancies in Office

When the person in public office resigns, dies, or is disqualified, and filings for the office have not been held, an appointment may be made to fill the position until the next election. A special filing period may be held in the following circumstances:

- If the vacancy occurs before the eleventh Tuesday prior to the Primary, the filing officer opens a special three-day filing period. Candidates who file during a special filing period appear on the Primary ballot as if they filed during the regular filing period.
- If a vacancy occurs on or after the eleventh Tuesday prior to the Primary, but before the eleventh Tuesday prior to the General Election, the filing officer opens a special three-day filing period. Candidates who file during the special filing period appear only on the General Election ballot. The candidate who receives the most votes cast for that office at the General Election is declared the winner.

Lapsed Elections

A scheduled election for an office lapses when one of the following occurs:

- A void in candidacy for Supreme Court Justice or Superintendent of Public Instruction occurs after the eleventh Tuesday prior to the primary;
- A nominee for Superior Court Judge dies or is disqualified on or after the eleventh Tuesday prior to a primary and the special filing period exemption does not apply; or
- There is a void in candidacy or a vacancy in office for any partisan or nonpartisan office after the eleventh Tuesday prior to a General Election.

Write-in Candidates

A person who desires to be a write-in candidate may file a Declaration of Write-in Candidacy with the appropriate filing officer. The Declaration of Write-in Candidacy, accompanied by the applicable filing fee, must be filed no later than the day before the election.

A person may not file as a write-in candidate if:

- The person attempting to file during a General Election either filed as a regular or write-in candidate for the same office in the preceding primary;
- The person has already filed a valid Declaration of Write-in Candidacy for that primary or election; or
- The person already appears on the ballot as a candidate for another public office.

Those who wish to cast a vote for a candidate who has filed as a write-in candidate need only write the name of the candidate in the appropriate location on the ballot in order for the vote to be counted. Some variation of names will be permitted if the name is recognizable as that of a declared candidate.

Declarations of Write-in Candidacy forms are available from the County Auditor, the Office of the Secretary of State, and the Secretary of State's website www.secstate.wa.gov.

Write-in votes for candidates who did not file a Declaration of Write-in Candidacy are valid provided the voter writes the candidate's name correctly.

Write-in votes are not tallied unless there are enough write-in votes cast in a contest to change the outcome of the primary or election.

Voters' Pamphlet Information

Candidates for the office of President and Vice President, U.S. Senate, U.S. Representative, statewide office, state Senate, state Representative, the Court of Appeals and Superior Court are eligible for inclusion in the official state Voters' Pamphlet published by the Office of the Secretary of State.

Candidate statements and photographs may be submitted with the Declaration of Candidacy but must be received no later than seven days after filing. Specific information regarding fees, space, photographs, and statement specifications can be found on the Declaration of Candidacy and in the brochure "[Getting Your Information to Voters in Washington State.](#)"

The Office of the Secretary of State also provides information through electronic media, including the internet. Information regarding electronic voter guides is made available to candidates at the time of filing.

Candidate inquiries regarding the official state Voters' Pamphlet should be directed to the Elections Division in the Office of the Secretary of State. (See "Information and Assistance" for address and telephone information.) Those persons filing for local elective office should check with the County Auditor about the availability and requirements of local Voters' Pamphlets.

Information and Assistance

For additional information and assistance, call your County Auditor or Elections Department (under government listings in your telephone directory), or contact the Office of the Secretary of State:

Elections Division
Office of the Secretary of State
520 Union Avenue SE • PO Box 40229
Olympia, Washington 98504-0229
Phone: (360) 902-4180 • Fax: (360) 664-4619
TDD: 1-800-422-8683
E-mail: elections@secstate.wa.gov
Internet: www.secstate.wa.gov



If you need this information in an alternate format,
please contact the Office of the Secretary of State at the numbers listed above.