

HB 272 - WRITE-IN CANDIDATE AMENDMENTS

The County Clerks unanimously support this bill to improve and modernize the write-in candidate and vote counting process. This bill makes three important modifications to the current law:

1. **Prohibit the use of write-in stickers that could destroy our new scanning equipment.**

Write-in candidates often want to distribute stickers to voters so that voters can place the sticker on the ballot instead of writing out the candidate's name. This worked years ago when paper ballots were hand counted; however, with the new scanning equipment, stickers are likely to come off and destroy the scanners. Our equipment vendor used the phrase "catastrophic failure" when asked what stickers would do to our scanners.



**NO STICKERS
ALLOWED**

2. **Clarify that clerks are allowed to count valid names written on the write-in line, regardless of whether the oval is filled in or not.**

Currently one section of the code says that a voter must fill in the oval next to the write-in line as well as write in a candidate's name. Another section of the code says the voter only needs to write the name of a valid candidate and the oval can be left blank. These conflicting code references leave it open for interpretation whether a vote is counted or not. The software used by the preferred statewide election vendor can detect written text on the write-in line, regardless of whether the oval is filled in or not. The added benefit of clarifying the code would be the uniform counting of write-in votes across the state.

To count or not to count?

WRITE-IN: Jane Doe WRITE-IN: Jane Doe

3. **Move the write-in deadline from 60 days to 65 days before the election and have them pay the same filing fee that is required of all other candidates.**

Write-ins must currently file to run at least 60 days before an election. Current law requires ballot language be submitted to the election officer at least 65 days before an election. Moving the write-in deadline back 5 days harmonizes these two deadlines and allows clerks to move forward with printing the ballots sooner. This year there are 70 days between the municipal primary and general elections. This change gives us time to lock down and proof the ballot so that we can send it to the printer in time to get ballots out to our UOCAVA (Military and Overseas voters).



Additionally, there is no provision in the code to determine the filing fee for a write-in candidate. The clerks recommend setting the filing fee for a write-in candidate equal to the amount paid by the other candidates that have filed for the same office.