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**SUBSTITUTE HOUSE BILL 2089**

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**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** House Committee on State Government (originally sponsored by Representatives Anderson, Bowman, Pruitt, Grant, R. Fisher, Ferguson, R. Johnson and Franklin).

Read first time March 6, 1991.

1       AN ACT Relating to the date of the presidential preference primary;  
2 and amending RCW 29.19.020, 29.13.010, and 29.13.020.

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

4       **Sec. 1.** RCW 29.19.020 and 1989 c 4 s 2 (Initiative Measure No. 99)  
5 are each amended to read as follows:

6       On the fourth Tuesday in ((May)) March of each year when a  
7 president of the United States is to be nominated and elected, ((or  
8 such other date as may be selected by the secretary of state to advance  
9 the concept of a regional primary,)) a presidential preference primary  
10 shall be held at which voters may express their preferences as to who  
11 should be the nominee of a major political party for the office of  
12 president.

13       **Sec. 2.** RCW 29.13.010 and 1989 c 4 s 9 (Initiative Measure No. 99)  
14 are each amended to read as follows:

1 All state, county, city, town, and district general elections for  
2 the election of federal, state, legislative, judicial, county, city,  
3 town, district, and precinct officers, and for the submission to the  
4 voters of the state, county, city, town, or district of any measure for  
5 their adoption and approval or rejection, shall be held on the first  
6 Tuesday after the first Monday of November, in the year in which they  
7 may be called. A state-wide general election shall be held on the  
8 first Tuesday after the first Monday of November of each year:  
9 PROVIDED, That the state-wide general election held in odd-numbered  
10 years shall be limited to (1) city, town, and district general  
11 elections as provided for in RCW 29.13.020 as now or hereafter amended,  
12 or as otherwise provided by law; (2) the election of federal officers  
13 for the remainder of any unexpired terms in the membership of either  
14 branch of the congress of the United States; (3) the election of state  
15 and county officers for the remainder of any unexpired terms of offices  
16 created by or whose duties are described in Article II, section 15,  
17 Article III, sections 16, 17, 19, 20, 21, 22, and 23, and Article IV,  
18 sections 3 and 5 of the state Constitution and RCW 2.06.080; (4) the  
19 election of county officers in any county governed by a charter  
20 containing provisions calling for general county elections at this  
21 time; and (5) the approval or rejection of state measures, including  
22 proposed constitutional amendments, matters pertaining to any proposed  
23 constitutional convention, initiative measures and referendum measures  
24 proposed by the electorate, referendum bills, and any other matter  
25 provided by the legislature for submission to the electorate: PROVIDED  
26 FURTHER, That this section shall not be construed as fixing the time  
27 for holding primary elections, or elections for the recall of any  
28 elective public officer: PROVIDED HOWEVER, That the county legislative  
29 authority may, if they deem an emergency to exist, call a special  
30 county election by presenting a resolution to the county auditor at

1 least forty-five days prior to the proposed election date. A special  
2 election called by the county legislative authority shall be held on  
3 one of the following dates as decided by such governing body:

4 (a) The first Tuesday after the first Monday in February;

5 (b) The second Tuesday in March;

6 (c) In a presidential election year, the fourth Tuesday in March,  
7 or in any other year, the first Tuesday after the first Monday in  
8 April;

9 (d) The ((~~fourth~~)) third Tuesday in May;

10 (e) The day of the primary as specified by RCW 29.13.070; or

11 (f) The first Tuesday after the first Monday in November.

12 In addition to the dates set forth in (a) through (f) above, a  
13 special election to validate an excess levy or bond issue may be called  
14 at any time to meet the needs resulting from failure of a county to  
15 pass a special levy for the first time or from fire, flood, earthquake,  
16 or other act of God. Such county special election shall be noticed and  
17 conducted in the manner provided by law.

18 This section shall supersede the provisions of any and all other  
19 statutes, whether general or special in nature, having different dates  
20 for such city, town, and district elections, the purpose of this  
21 section being to establish mandatory dates for holding elections except  
22 for those elections held pursuant to a home-rule charter adopted under  
23 Article XI, section 4 of the state Constitution.

24 **Sec. 3.** RCW 29.13.020 and 1990 c 33 s 562 are each amended to read  
25 as follows:

26 (1) All city, town, and district general elections shall be held  
27 throughout the state of Washington on the first Tuesday following the  
28 first Monday in November in the odd-numbered years.

29 This section shall not apply to:

1 (a) Elections for the recall of any elective public officer;

2 (b) Public utility districts or district elections at which the  
3 ownership of property within those districts is a prerequisite to  
4 voting, all of which elections shall be held at the times prescribed in  
5 the laws specifically applicable thereto;

6 (c) Consolidation proposals as provided for in RCW 28A.315.280 and  
7 nonhigh capital fund aid proposals as provided for in chapter 28A.540  
8 RCW.

9 (2) The county auditor, as ex officio supervisor of elections, upon  
10 request in the form of a resolution of the governing body of a city,  
11 town, or district, presented to him at least forty-five days prior to  
12 the proposed election date, may, if he deems an emergency to exist,  
13 call a special election in such city, town, or district, and for the  
14 purpose of such special election he may combine, unite, or divide  
15 precincts. A special election called by such governing body shall be  
16 held on one of the following dates as decided by the governing body:

17 (a) The first Tuesday after the first Monday in February;

18 (b) The second Tuesday in March;

19 (c) In a presidential election year, the fourth Tuesday in March,  
20 or in any other year, the first Tuesday after the first Monday in  
21 April;

22 (d) The ((fourth)) third Tuesday in May;

23 (e) The day of the primary election as specified by RCW 29.13.070;  
24 or

25 (f) The first Tuesday after the first Monday in November.

26 In addition to (a) through (f) above, a special election to  
27 validate an excess levy or bond issue may be called at any time to meet  
28 the needs resulting from failure of a school or junior taxing district  
29 to pass a special levy or bond issue for the first time or from fire,  
30 flood, earthquake, or other act of God, except that no special election

1 may be held between the first day for candidates to file for public  
2 office and the last day to certify the returns of the general election  
3 other than as provided in (e) and (f) of this subsection. Such special  
4 election shall be conducted and notice thereof given in the manner  
5 provided by law.

6 This section shall supersede the provisions of any and all other  
7 statutes, whether general or special in nature, having different dates  
8 for such city, town, and district elections, the purpose of this  
9 section being to establish mandatory dates for holding elections.