
SUBSTITUTE SENATE BILL 6688

State of Washington 61st Legislature 2010 Regular Session

By Senate Government Operations & Elections (originally sponsored by Senators Fairley and Shin)

READ FIRST TIME 02/04/10.

1 AN ACT Relating to filling vacancies in nonpartisan local elective
2 office; amending RCW 36.16.110; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that a number of
5 counties have moved to designate certain countywide elective offices as
6 nonpartisan. Because the creation of these nonpartisan offices is a
7 relatively new occurrence, there is not a mechanism in the state
8 Constitution or statutory laws to fill vacancies in these offices. The
9 legislature also finds that many local governments have not created a
10 mechanism for expediently filling the vacancies. The legislature
11 further finds the following: Political representation is an important
12 and fundamental aspect of elective government; vacancies in elective
13 office effectively disenfranchise portions of the state's citizenry;
14 vacancies in elective office can hamper or completely stall the
15 efficient administration of all aspects of governance, including the
16 appointment of inferior office holders responsible for the
17 administration of health, public safety, and a myriad of social
18 services; and that all of these governing functions represent public
19 policy considerations of broad concern. Therefore, it is the

1 responsibility and intent of the legislature to provide a mechanism for
2 filling vacancies in these offices that is in keeping with the state
3 Constitution and current statute.

4 **Sec. 2.** RCW 36.16.110 and 2003 c 238 s 1 are each amended to read
5 as follows:

6 (1) The county legislative authority in each county shall, at its
7 next regular or special meeting after being appraised of any vacancy in
8 any county, township, precinct, or road district office of the county,
9 fill the vacancy by the appointment of some person qualified to hold
10 such office, and the officers thus appointed shall hold office until
11 the next general election, and until their successors are elected and
12 qualified.

13 (2) If a vacancy occurs in a partisan county office after the
14 general election in a year that the position appears on the ballot and
15 before the start of the next term, the term of the successor who is of
16 the same party as the incumbent may commence once he or she has
17 qualified as defined in RCW ((29.01.135)) 29A.04.133 and shall continue
18 through the term for which he or she was elected.

19 (3) If a vacancy occurs in a nonpartisan county board of
20 commissioners elective office or nonpartisan county council elective
21 office, the person appointed to fill the vacancy must be from the same
22 legislative district, county, or county commissioner or council
23 district as the county elective officer whose office was vacated, and
24 must be one of three persons who must be nominated by the nonpartisan
25 executive or nonpartisan chair of the board of commissioners for the
26 county. In case a majority of the members of the county legislative
27 authority do not agree upon the appointment within thirty days after
28 the vacancy occurs, the governor shall within fifteen days thereafter,
29 and from the list of nominees provided for in this section, appoint
30 someone to fill the vacancy.

31 (4) If a vacancy occurs in a nonpartisan county board of
32 commissioners elective office or nonpartisan county council elective
33 office after the general election in a year that the position appears
34 on the ballot and before the start of the next term, the term of the
35 successor may commence once he or she has qualified as defined in RCW

1 29A.04.133 and shall continue through the term for which he or she was
2 elected.

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