

CERTIFICATION OF ENROLLMENT

SENATE BILL 6061

Chapter 142, Laws of 1994

53rd Legislature
1994 Regular Session

SPECIAL ELECTIONS--DATE MODIFIED

EFFECTIVE DATE: 1/1/95

Passed by the Senate March 5, 1994
YEAS 40 NAYS 3

JOEL PRITCHARD

President of the Senate

Passed by the House March 2, 1994
YEAS 96 NAYS 0

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Approved March 28, 1994

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6061** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

March 28, 1994 - 11:48 a.m.

**Secretary of State
State of Washington**

SENATE BILL 6061

AS AMENDED BY THE HOUSE

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

By Senators Vognild, Winsley, Haugen and Sellar

Read first time 01/10/94. Referred to Committee on Government Operations.

1 AN ACT Relating to special elections; amending RCW 29.13.010 and
2 29.13.020; and providing an effective date.

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

4 **Sec. 1.** RCW 29.13.010 and 1992 c 37 s 1 are each amended to read
5 as follows:

6 (1) All state, county, city, town, and district general elections
7 for the election of federal, state, legislative, judicial, county,
8 city, town, district, and precinct officers, and for the submission to
9 the voters of the state, county, city, town, or district of any measure
10 for their adoption and approval or rejection, shall be held on the
11 first Tuesday after the first Monday of November, in the year in which
12 they may be called. A state-wide general election shall be held on the
13 first Tuesday after the first Monday of November of each year:
14 PROVIDED, That the state-wide general election held in odd-numbered
15 years shall be limited to (a) city, town, and district general
16 elections as provided for in RCW 29.13.020, or as otherwise provided by
17 law; (b) the election of federal officers for the remainder of any
18 unexpired terms in the membership of either branch of the congress of
19 the United States; (c) the election of state and county officers for

1 the remainder of any unexpired terms of offices created by or whose
2 duties are described in Article II, section 15, Article III, sections
3 16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3 and 5 of the
4 state Constitution and RCW 2.06.080; (d) the election of county
5 officers in any county governed by a charter containing provisions
6 calling for general county elections at this time; and (e) the approval
7 or rejection of state measures, including proposed constitutional
8 amendments, matters pertaining to any proposed constitutional
9 convention, initiative measures and referendum measures proposed by the
10 electorate, referendum bills, and any other matter provided by the
11 legislature for submission to the electorate.

12 (2) A county legislative authority may, if it deems an emergency to
13 exist, call a special county election by presenting a resolution to the
14 county auditor at least forty-five days prior to the proposed election
15 date. Except as provided in subsection (4) of this section, a special
16 election called by the county legislative authority shall be held on
17 one of the following dates as decided by such governing body:

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

19 (b) The second Tuesday in March;

20 (c) The ~~((first Tuesday after the first Monday))~~ fourth Tuesday in
21 April;

22 (d) The third Tuesday in May;

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

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

25 (3) In addition to the dates set forth in subsection (2) (a)
26 through (f) of this section, a special election to validate an excess
27 levy or bond issue may be called at any time to meet the needs
28 resulting from ~~((failure of a county to pass a special levy for the
29 first time or from))~~ fire, flood, earthquake, or other act of God.
30 Such county special election shall be noticed and conducted in the
31 manner provided by law.

32 (4) In a presidential election year, if a presidential preference
33 primary is conducted in February, March, April, or May under chapter
34 29.19 RCW, the date on which a special election may be called by the
35 county legislative authority under subsection (2) of this section
36 during the month of that primary is the date of the presidential
37 primary.

38 (5) This section shall supersede the provisions of any and all
39 other statutes, whether general or special in nature, having different

1 dates for such city, town, and district elections, the purpose of this
2 section being to establish mandatory dates for holding elections except
3 for those elections held pursuant to a home-rule charter adopted under
4 Article XI, section 4 of the state Constitution. This section shall
5 not be construed as fixing the time for holding primary elections, or
6 elections for the recall of any elective public officer.

7 **Sec. 2.** RCW 29.13.020 and 1992 c 37 s 2 are each amended to read
8 as follows:

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

12 This section shall not apply to:

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

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

18 (c) Consolidation proposals as provided for in RCW 28A.315.280 and
19 nonhigh capital fund aid proposals as provided for in chapter 28A.540
20 RCW.

21 (2) The county auditor, as ex officio supervisor of elections, upon
22 request in the form of a resolution of the governing body of a city,
23 town, or district, presented to the auditor at least forty-five days
24 prior to the proposed election date, may, if the county auditor deems
25 an emergency to exist, call a special election in such city, town, or
26 district, and for the purpose of such special election he or she may
27 combine, unite, or divide precincts. Except as provided in subsection
28 (3) of this section, such a special election shall be held on one of
29 the following dates as decided by the governing body:

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

31 (b) The second Tuesday in March;

32 (c) The (~~first Tuesday after the first Monday~~) fourth Tuesday in
33 April;

34 (d) The third Tuesday in May;

35 (e) The day of the primary election as specified by RCW 29.13.070;

36 or

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

1 (3) In a presidential election year, if a presidential preference
2 primary is conducted in February, March, April, or May under chapter
3 29.19 RCW, the date on which a special election may be called under
4 subsection (2) of this section during the month of that primary is the
5 date of the presidential primary.

6 (4) In addition to subsection (2) (a) through (f) of this section,
7 a special election to validate an excess levy or bond issue may be
8 called at any time to meet the needs resulting from ~~((failure of a
9 school or junior taxing district to pass a special levy or bond issue
10 for the first time or from))~~ fire, flood, earthquake, or other act of
11 God, except that no special election may be held between the first day
12 for candidates to file for public office and the last day to certify
13 the returns of the general election other than as provided in
14 subsection (2) (e) and (f) of this section. Such special election
15 shall be conducted and notice thereof given in the manner provided by
16 law.

17 (5) This section shall supersede the provisions of any and all
18 other statutes, whether general or special in nature, having different
19 dates for such city, town, and district elections, the purpose of this
20 section being to establish mandatory dates for holding elections.

21 NEW SECTION. **Sec. 3.** This act shall take effect January 1, 1995.

Passed the Senate March 5, 1994.

Passed the House March 2, 1994.

Approved by the Governor March 28, 1994.

Filed in Office of Secretary of State March 28, 1994.