
ENGROSSED SUBSTITUTE SENATE BILL 6107

State of Washington

54th Legislature

1996 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senators Winsley, Sheldon and Haugen)

Read first time 02/01/96.

1 AN ACT Relating to election procedures; and amending RCW
2 29.13.020, 29.15.120, 29.30.101, 29.36.013, and 85.38.110.

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

4 **Sec. 1.** RCW 29.13.020 and 1994 c 142 s 2 are each amended to read
5 as follows:

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

9 This section shall not apply to:

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

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

15 (c) Consolidation proposals as provided for in RCW 28A.315.280 and
16 nonhigh capital fund aid proposals as provided for in chapter 28A.540
17 RCW.

18 (2) The county auditor, as ex officio supervisor of elections, upon
19 request in the form of a resolution of the governing body of a city,

1 town, or district, presented to the auditor at least forty-five days
2 prior to the proposed election date, (~~may, if the county auditor deems~~
3 ~~an emergency to exist,~~) shall call a special election in such city,
4 town, or district, and for the purpose of such special election he or
5 she may combine, unite, or divide precincts. Except as provided in
6 subsection (3) of this section, such a special election shall be held
7 on one of the following dates as decided by the governing body:

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

9 (b) The second Tuesday in March;

10 (c) The fourth Tuesday in April;

11 (d) The third Tuesday in May;

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

13 or

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

15 (3) In a presidential election year, if a presidential preference
16 primary is conducted in February, March, April, or May under chapter
17 29.19 RCW, the date on which a special election may be called under
18 subsection (2) of this section during the month of that primary is the
19 date of the presidential primary.

20 (4) In addition to subsection (2) (a) through (f) of this section,
21 a special election to validate an excess levy or bond issue may be
22 called at any time to meet the needs resulting from fire, flood,
23 earthquake, or other act of God, except that no special election may be
24 held between the first day for candidates to file for public office and
25 the last day to certify the returns of the general election other than
26 as provided in subsection (2) (e) and (f) of this section. Such
27 special election shall be conducted and notice thereof given in the
28 manner provided by law.

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

33 **Sec. 2.** RCW 29.15.120 and 1994 c 223 s 6 are each amended to read
34 as follows:

35 A candidate may withdraw his or her declaration of candidacy at any
36 time before the close of business on the Thursday following the last
37 day for candidates to file under RCW 29.15.020 by filing, with the
38 officer with whom the declaration of candidacy was filed, a signed

1 request that his or her name not be printed on the ballot. There shall
2 be no withdrawal period for declarations of candidacy filed during
3 special filing periods held under this title. The filing officer may
4 permit the withdrawal of a filing for the office of precinct committee
5 officer at the request of the candidate at any time if no absentee
6 ballots have been issued for that office and the general election
7 ballots for that precinct have not been printed. The filing officer
8 may permit the withdrawal of a filing for any elected office of a city,
9 town, or special district at the request of the candidate at any time
10 before a primary if the primary ballots for that city, town, or special
11 district have not been ordered. For city, town, and special district
12 contests where no primary is required, the filing officer may permit
13 the withdrawal of a filing at any time before an election if the
14 election ballots for that city, town, or special district have not been
15 ordered. If, as a result of a withdrawal of a filing, no candidate's
16 name will appear on the ballot for a particular position, the election
17 for such position shall be deemed lapsed, the office shall be deemed
18 stricken from the ballot, and no write-in votes shall be counted. In
19 such instance, the incumbent occupying such position shall remain in
20 office and continue to serve until a successor is elected at the next
21 election when the position is voted upon. No filing fee may be
22 refunded to any candidate who withdraws under this section. Notice of
23 the deadline for withdrawal of candidacy and that the filing fee is not
24 refundable shall be given to each candidate at the time he or she
25 files.

26 **Sec. 3.** RCW 29.30.101 and 1990 c 59 s 14 are each amended to read
27 as follows:

28 The names of the persons certified as nominees by the secretary of
29 state or the county canvassing board shall be printed on the ballot at
30 the ensuing election.

31 No name of any candidate whose nomination at a primary is required
32 by law shall be placed upon the ballot at a general or special election
33 unless it appears upon the certificate of either (1) the secretary of
34 state, or (2) the county canvassing board, or (3) a minor party
35 convention or the state or county central committee of a major
36 political party to fill a vacancy on its ticket under RCW 29.18.160.

37 Excluding the office of precinct committee officer, or any
38 temporary elected position such as charter review board or freeholder,

1 a candidate's name shall not appear more than once upon a ballot for
2 any position regularly nominated or elected at the same election.

3 **Sec. 4.** RCW 29.36.013 and 1993 c 418 s 1 are each amended to read
4 as follows:

5 Any voter may apply, in writing, for status as an ongoing absentee
6 voter. Each qualified applicant shall automatically receive an
7 absentee ballot for each ensuing election for which he or she is
8 entitled to vote and need not submit a separate request for each
9 election. Ballots received from ongoing absentee voters shall be
10 validated, processed, and tabulated in the same manner as other
11 absentee ballots.

12 Status as an ongoing absentee voter shall be terminated upon any of
13 the following events:

- 14 (1) The written request of the voter;
- 15 (2) The death or disqualification of the voter;
- 16 (3) The cancellation of the voter's registration record; ~~((or))~~
- 17 (4) The return of an ongoing absentee ballot as undeliverable; or
- 18 (5) Upon placing a voter on inactive status under RCW 29.10.071.

19 **Sec. 5.** RCW 85.38.110 and 1991 c 349 s 13 are each amended to read
20 as follows:

21 A list of presumed eligible voters shall be prepared and maintained
22 by each special district. The list shall include the assessor's tax
23 number for each lot or parcel in the district, the name or the names of
24 the owners of such lots and parcels and their mailing address, the
25 extent of the ownership interest of such persons, and if such persons
26 are natural persons, whether they are known to be registered voters in
27 the state of Washington. Whenever such a list is prepared, the
28 district shall attempt to notify each owner of the requirements
29 necessary to establish voting authority to vote. Whenever lots or
30 parcels in the district are sold, the district shall attempt to notify
31 the purchasers of the requirements necessary to establish voting
32 authority. Each special district shall provide a copy of this list,
33 and any revised list, to the auditor of the county within which all or
34 the largest portion of the special district is located. The special
35 district must compile the list of eligible voters and provide it to the
36 county auditor by the first day of November preceding the special
37 district general election. In the event the special district does not

1 provide the county auditor with the list of qualified voters by this
2 date, the county auditor shall compile the list and charge the special
3 district for the costs required for its preparation. ((The county
4 auditor shall not be held responsible for any errors in the list.))

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