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**SUBSTITUTE SENATE BILL 6107**

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**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, and 29.36.013.

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.

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