

# SENATE BILL REPORT

## SB 5849

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As of February 21, 2001

**Title:** An act relating to changing the date of the primary.

**Brief Description:** Changing the primary date.

**Sponsors:** Senators Gardner, Patterson, Winsley, McDonald and Kohl-Welles; by request of Secretary of State.

**Brief History:**

**Committee Activity:** State & Local Government: 2/22/01.

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### SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

**Staff:** Aaron Jennings (786-7445)

**Background:** Primary date: Nominating primaries for November general elections are held in Washington State on the third Tuesday of the previous September.

Filing date: The deadline for candidates to file for elected office is the fourth Monday in July.

Special elections: County legislative authorities and county auditors may call a special county election on one of the following dates: (1) the first Tuesday after the first Monday in February; (2) the second Tuesday in March; (3) the fourth Tuesday in April; (4) the third Tuesday in May; (5) the day of the September primary; or (6) the first Tuesday after the first Monday in November.

The deadline for calling various special elections is 45 days prior to the date of the special election.

Minor party conventions: Nominating conventions for candidates not belonging to a major political party may be held during the period beginning on the last Saturday in June and ending on the first Saturday in July.

Absentee deadlines: County auditors must be ready to send a sufficient number of absentee ballots at least 20 days before any primary, general election, or special election. A Department of Defense administrative regulation requires that military and overseas voters must have a 45-day voting window from the time they receive an absentee ballot to the time the results of an election are certified. There is no provision in the RCW that addresses the needs of military and overseas voters.

Other deadlines: The filing deadline for a political party to put a candidate's name on the presidential primary ballot is 39 days prior to the primary. The deadline for presidential

candidates to remove their names from the primary ballot is 35 days prior to the presidential primary.

The deadlines for reopening any filings for nonpartisan offices because of a candidacy vacancy is the fourth Tuesday before an election. This applies to nonpartisan offices other than Supreme Court Justice and the Superintendent of Public Instruction.

Results certification: County auditors are responsible for certifying the results within ten days of a special election, primary, or general election.

Post-session campaign freeze: No state official may solicit or accept campaign funds during the period beginning 30 days before a legislative session and ending 30 days after a legislative session has concluded. Further, campaign funds may not be accepted or solicited during a special session.

Legislative mailings: Legislators are allowed to mail two mailings of newsletters to constituents. One mailing may be mailed no later than 30 days after the start of a regular legislative session. The second mailing may be mailed no later than 60 days after the end of a regular legislative session.

**Summary of Bill:** Primary date: Primaries in Washington State are held on the second Tuesday of the preceding June.

Filing date: Candidates must declare their intention to run for office during a period beginning no earlier than 64 days prior to the June primary and ending the following Friday.

Special elections: Special elections may no longer be held on the third Tuesday in May. Instead, special election dates are added on the second Tuesday in May, and the first Tuesday after the second Wednesday in September.

The deadline for calling various special elections is 50 days prior to the date of a special election.

Minor party conventions: Minor party conventions may be held during the period beginning 44 days prior to the first day for filing declarations of candidacy, and ending 16 days prior to the first day for filing declarations of candidacy.

Absentee deadlines: County auditors must mail absentee ballots to all overseas and military voters who requested absentee ballots no later than 30 days before a primary, general election, or special election. Any request for an absentee ballot made by an overseas or military voter must be processed immediately.

Other deadlines: The filing deadline for a political party placing a candidate's name on the presidential primary ballot is 50 days prior to the primary. The deadline for withdrawal deadline for presidential primary candidates is 45 days prior to the primary.

The deadlines for reopening any filings for nonpartisan offices, except the Supreme Court Justice or Superintendent of Public Instruction, because of a candidacy vacancy, is the seventh Tuesday before an election.

Results certification: The deadline for county auditors to certify election results is 15 days after a special election, primary, or general election.

Post-session campaign freeze: The 30 day post-session freeze on legislators soliciting or accepting campaign funds is eliminated.

Campaign mailings: The second campaign mailing window, for mailing the second newsletter to constituents, runs for the 15 days following the June primary.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect on January 1, 2002.