

SENATE BILL REPORT

SB 6529

As Passed Senate, February 13, 2002

Title: An act relating to holding or lapsing elections due to vacancies in public office.

Brief Description: Modifying the time period for holding elections to fill vacancies.

Sponsors: Senators Gardner and Haugen.

Brief History:

Committee Activity: State & Local Government: 1/28/02, 1/30/02 [DP].

Passed Senate: 2/13/02, 48-0.

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Majority Report: Do pass.

Signed by Senators Gardner, Chair; Fairley, Vice Chair; Hale, Haugen, Horn, Keiser, Kline, McCaslin, Roach, T. Sheldon and Swecker.

Staff: Mac Nicholson (786-7445)

Background: Last session, dates were changed regarding the reopening of filings for certain offices. In general, when a vacancy, void in candidacy, or a nominee for superior court judge entitled to a certificate of election dies or is disqualified before the sixth (changed in 2001 from the fourth) Tuesday before a primary, filings for the office must be reopened. However, dates at which scheduled elections lapse are still measured from the fourth Tuesday prior to a primary.

Similarly, dates requiring successor elections when vacancies occur in any partisan elective office in the executive or legislative branches of state government, or in any partisan county elective office, are measured from the fourth Tuesday before a primary election.

Summary of Bill: Dates at which scheduled elections lapse are changed from the fourth Tuesday prior to a primary to the sixth Tuesday prior to a primary. A scheduled election is lapsed, the office deemed stricken from the ballot, no purported write-in votes counted, and no candidate certified as elected when: in an election for judge of the Supreme Court or Superintendent of Public Instruction, a void in candidacy occurs on or after the sixth Tuesday prior to a primary; a nominee for judge of the superior court entitled to a certificate of election dies or is disqualified on or after the sixth Tuesday prior to a primary; and in other elections for nonpartisan office a void in candidacy occurs or a vacancy occurs involving an unexpired term to be filled on or after the sixth Tuesday prior to an election.

If a vacancy occurs in any partisan elective office in the executive or legislative branches of state government or in any partisan county elective office before the sixth Tuesday (rather than fourth Tuesday) prior to the primary, a successor is elected to that office at that general

election. If the vacancy occurs on or after the sixth Tuesday prior to the primary for that general election, the election of the successor occurs at the next succeeding general election.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill just fixes dates regarding lapsing of elections and successor elections in vacant partisan elective offices that were missed in 2001 when dates concerning the reopening of filings for certain offices were changed from the fourth Tuesday prior to a primary to the sixth Tuesday prior to a primary.

Testimony Against: None.

Testified: Kim Wyman, Wash. Assoc. of County Auditors (pro).