

CERTIFICATION OF ENROLLMENT

SENATE BILL 5273

Chapter 46, Laws of 2001

57th Legislature
2001 Regular Session

ELECTIONS--FILING DATES

EFFECTIVE DATE: 7/22/01

Passed by the Senate March 14, 2001
YEAS 49 NAYS 0

ROSA FRANKLIN
President of the Senate

Passed by the House April 4, 2001
YEAS 93 NAYS 0

FRANK CHOPP
**Speaker of the House of
Representatives**

CLYDE BALLARD
**Speaker of the House of
Representatives**

Approved April 17, 2001

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5273** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

FILED

April 17, 2001 - 9:10 a.m.

**Secretary of State
State of Washington**

SENATE BILL 5273

Passed Legislature - 2001 Regular Session

State of Washington 57th Legislature 2001 Regular Session

By Senators Gardner, McCaslin, Haugen and Winsley

Read first time 01/17/2001. Referred to Committee on State & Local Government.

1 AN ACT Relating to election filing dates; and amending RCW
2 29.15.170, 29.15.180, 29.15.230, and 29.18.160.

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

4 **Sec. 1.** RCW 29.15.170 and 1975-'76 2nd ex.s. c 120 s 10 are each
5 amended to read as follows:

6 Filings for a nonpartisan office shall be reopened for a period of
7 three normal business days, such three day period to be fixed by the
8 election officer with whom such declarations of candidacy are filed and
9 notice thereof given by notifying press, radio, and television in the
10 county and by such other means as may now or hereafter be provided by
11 law whenever before the (~~fourth~~) sixth Tuesday prior to a primary:

12 (1) A void in candidacy occurs;

13 (2) A vacancy occurs in any nonpartisan office leaving an unexpired
14 term to be filled by an election for which filings have not been held;
15 or

16 (3) A nominee for judge of the superior court entitled to a
17 certificate of election pursuant to Article 4, section 29, Amendment 41
18 of the state Constitution, dies or is disqualified.

1 Candidacies validly filed within said three-day period shall appear
2 on the ballot as if made during the earlier filing period.

3 **Sec. 2.** RCW 29.15.180 and 1975-'76 2nd ex.s. c 120 s 11 are each
4 amended to read as follows:

5 Filings for a nonpartisan office (other than judge of the supreme
6 court or superintendent of public instruction) shall be reopened for a
7 period of three normal business days, such three day period to be fixed
8 by the election officer with whom such declarations of candidacy are
9 filed and notice thereof given by notifying press, radio, and
10 television in the county and by such other means as may now or
11 hereafter be provided by law, when:

12 (1) A void in candidacy for such nonpartisan office occurs on or
13 after the (~~fourth~~) sixth Tuesday prior to a primary but prior to the
14 (~~fourth~~) sixth Tuesday before an election; or

15 (2) A nominee for judge of the superior court eligible after a
16 contested primary for a certificate of election by Article 4, section
17 29, Amendment 41 of the state Constitution, dies or is disqualified
18 within the ten day period (~~when a petition for write-in candidacy may~~
19 ~~be received~~) immediately following the last day allotted for a
20 candidate to withdraw; or

21 (3) A vacancy occurs in any nonpartisan office on or after the
22 (~~fourth~~) sixth Tuesday prior to a primary but prior to the (~~fourth~~)
23 sixth Tuesday before an election leaving an unexpired term to be filled
24 by an election for which filings have not been held.

25 The candidate receiving a plurality of the votes cast for that
26 office in the general election shall be deemed elected.

27 **Sec. 3.** RCW 29.15.230 and 1981 c 180 s 2 are each amended to read
28 as follows:

29 Filings for a partisan elective office shall be opened for a period
30 of three normal business days whenever, on or after the first day of
31 the regular filing period and before the (~~fourth~~) sixth Tuesday prior
32 to a primary, a vacancy occurs in that office, leaving an unexpired
33 term to be filled by an election for which filings have not been held.

34 Any such special three-day filing period shall be fixed by the
35 election officer with whom declarations of candidacy for that office
36 are filed. The election officer shall give notice of the special
37 three-day filing period by notifying the press, radio, and television

1 in the county or counties involved, and by such other means as may be
2 required by law.

3 Candidacies validly filed within the special three-day filing
4 period shall appear on the primary ballot as if filed during the
5 regular filing period.

6 **Sec. 4.** RCW 29.18.160 and 1977 ex.s. c 329 s 13 are each amended
7 to read as follows:

8 A vacancy caused by the death or disqualification of any candidate
9 or nominee of a major or minor political party may be filled at any
10 time up to and including the day prior to the election for that
11 position. For state partisan offices in any political subdivision
12 voted on solely by electors of a single county, an individual shall be
13 appointed to fill such vacancy by the county central committee in the
14 case of a major political party or by the state central committee or
15 comparable governing body in the case of a minor political party. For
16 other partisan offices, including federal or statewide offices, an
17 individual shall be appointed to fill such vacancy by the state central
18 committee or comparable governing body of the appropriate political
19 party.

20 Should such vacancy occur no later than the (~~third~~) sixth Tuesday
21 prior to the state primary or general election concerned and the
22 ballots (~~and voting machine labels~~) have been printed, it shall be
23 mandatory that they be corrected by the appropriate election officers.
24 In making such correction, it shall not be necessary to reprint
25 complete ballots if any other less expensive technique can be used and
26 the resulting correction is reasonably clear.

27 Should such vacancy occur after the (~~third~~) sixth Tuesday prior
28 to said state primary or general election and time does not exist in
29 which to correct (~~paper~~) ballots (including absentee ballots) (~~or~~
30 ~~voting machine labels~~), either in total or in part, then the votes
31 cast or recorded for the person who has died or become disqualified
32 shall be counted for the person who has been named to fill such
33 vacancy.

34 When the secretary of state is the person with whom the appointment
35 by the major or minor political party is filed, he shall, in certifying
36 candidates or nominations to the various county officers insert the
37 name of the person appointed to fill a vacancy.

1 In the event that the secretary of state has already sent forth his
2 certificate when the appointment to fill a vacancy is filed with him,
3 he shall forthwith certify to the county auditors of the proper
4 counties the name and place of residence of the person appointed to
5 fill a vacancy, the office for which he is a candidate or nominee, the
6 party he represents and all other pertinent facts pertaining to the
7 vacancy.

Passed the Senate March 14, 2001.

Passed the House April 4, 2001.

Approved by the Governor April 17, 2001.

Filed in Office of Secretary of State April 17, 2001.