
ENGROSSED HOUSE BILL 2300

State of Washington 56th Legislature 1999 1 Special Session

By Representatives Romero, McMorris, Stensen and D. Schmidt

Read first time . Referred to Committee on .

1 AN ACT Relating to the dates of special elections; amending RCW
2 29.13.010 and 29.13.020; creating a new section; and providing an
3 expiration date.

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

5 **Sec. 1.** RCW 29.13.010 and 1994 c 142 s 1 are each amended to read
6 as follows:

7 (1) All state, county, city, town, and district general elections
8 for the election of federal, state, legislative, judicial, county,
9 city, town, district, and precinct officers, and for the submission to
10 the voters of the state, county, city, town, or district of any measure
11 for their adoption and approval or rejection, shall be held on the
12 first Tuesday after the first Monday of November, in the year in which
13 they may be called. A state-wide general election shall be held on the
14 first Tuesday after the first Monday of November of each year:
15 PROVIDED, That the state-wide general election held in odd-numbered
16 years shall be limited to (a) city, town, and district general
17 elections as provided for in RCW 29.13.020, or as otherwise provided by
18 law; (b) the election of federal officers for the remainder of any
19 unexpired terms in the membership of either branch of the congress of

1 the United States; (c) the election of state and county officers for
2 the remainder of any unexpired terms of offices created by or whose
3 duties are described in Article II, section 15, Article III, sections
4 16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3 and 5 of the
5 state Constitution and RCW 2.06.080; (d) the election of county
6 officers in any county governed by a charter containing provisions
7 calling for general county elections at this time; and (e) the approval
8 or rejection of state measures, including proposed constitutional
9 amendments, matters pertaining to any proposed constitutional
10 convention, initiative measures and referendum measures proposed by the
11 electorate, referendum bills, and any other matter provided by the
12 legislature for submission to the electorate.

13 (2) A county legislative authority may, if it deems an emergency to
14 exist, call a special county election by presenting a resolution to the
15 county auditor at least forty-five days prior to the proposed election
16 date. Except as provided in subsection (4) of this section, a special
17 election called by the county legislative authority shall be held on
18 one of the following dates as decided by such governing body:

- 19 (a) The first Tuesday after the first Monday in February;
20 (b) The second Tuesday in March;
21 (c) The fourth Tuesday in April;
22 (d) The third Tuesday in May;
23 (e) The day of the primary as specified by RCW 29.13.070; or
24 (f) The first Tuesday after the first Monday in November.

25 (3) In addition to the dates set forth in subsection (2)(a) through
26 (f) of this section, a special election to validate an excess levy or
27 bond issue may be called at any time to meet the needs resulting from
28 fire, flood, earthquake, or other act of God. Such county special
29 election shall be noticed and conducted in the manner provided by law.

30 (4) In a presidential election year, if a presidential preference
31 primary is conducted (~~((in February, March, April, or May))~~) under
32 chapter 29.19 RCW, (~~((the date on which))~~) a county legislative authority
33 may call a special election (~~((may be called by the county legislative~~
34 ~~authority))~~) under subsection (2) of this section (~~((during the month of~~
35 ~~that primary is))~~) only on the date of the presidential preference
36 primary or on another date specified under subsection (2) of this
37 section that is twenty-one or more days from the date of the
38 presidential preference primary.

1 (5) This section shall supersede the provisions of any and all
2 other statutes, whether general or special in nature, having different
3 dates for such city, town, and district elections, the purpose of this
4 section being to establish mandatory dates for holding elections except
5 for those elections held pursuant to a home-rule charter adopted under
6 Article XI, section 4 of the state Constitution. This section shall
7 not be construed as fixing the time for holding primary elections, or
8 elections for the recall of any elective public officer.

9 **Sec. 2.** RCW 29.13.020 and 1994 c 142 s 2 are each amended to read
10 as follows:

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

14 This section shall not apply to:

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

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

20 (c) Consolidation proposals as provided for in chapter 28A.315 RCW
21 (~~28A.315-280~~) and nonhigh capital fund aid proposals as provided for
22 in chapter 28A.540 RCW.

23 (2) The county auditor, as ex officio supervisor of elections, upon
24 request in the form of a resolution of the governing body of a city,
25 town, or district, presented to the auditor at least forty-five days
26 prior to the proposed election date, may, if the county auditor deems
27 an emergency to exist, call a special election in such city, town, or
28 district, and for the purpose of such special election he or she may
29 combine, unite, or divide precincts. Except as provided in subsection
30 (3) of this section, such a special election shall be held on one of
31 the following dates as decided by the governing body:

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

33 (b) The second Tuesday in March;

34 (c) The fourth Tuesday in April;

35 (d) The third Tuesday in May;

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

37 or

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

1 (3) In a presidential election year, if a presidential preference
2 primary is conducted (~~(in February, March, April, or May)~~) under
3 chapter 29.19 RCW, (~~(the date on which)~~) a county auditor may call a
4 special election (~~(may be called)~~) under subsection (2) of this section
5 (~~(during the month of that primary is)~~) only on the date of the
6 presidential preference primary or on another date specified under
7 subsection (2) of this section if the date is twenty-one or more days
8 from the date of the presidential preference primary.

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

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

22 NEW SECTION. Sec. 3. For the year 2000 only, in addition to
23 having special elections that may be held on the date of the
24 presidential preference primary, as well as on the normal special
25 election dates in April, May, September, and November as provided under
26 RCW 29.13.010 and 29.13.020, one other special election may be held in
27 the months of February or March as provided in this section. By
28 December 1, 1999, each county auditor shall determine whether this
29 additional special election date may be held on the first Tuesday after
30 the first Monday in February or on the third Tuesday in March, in 2000.
31 If a school district is located in more than one county, this
32 additional special election date must be the same in each county in
33 which the school district is located. The secretary of state shall be
34 the final arbitrator, if the county auditors of counties in which such
35 a school district is located cannot agree on a common date for the
36 additional special election, and shall determine the date of the
37 additional special election in those counties by December 15, 1999.

1 This section expires July 1, 2000.

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