

CERTIFICATION OF ENROLLMENT

SENATE BILL 5273

57th Legislature
2001 Regular Session

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

President of the Senate

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

Speaker of the House of Representatives

Speaker of the House of Representatives

Approved

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.

Secretary

FILED

**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
7 of three normal business days, such three day period to be fixed
8 by the election officer with whom such declarations of candidacy
9 are 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 whenever before the (~~fourth~~) sixth
12 Tuesday prior to a primary:

13 (1) A void in candidacy occurs;

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

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

1 Candidacies validly filed within said three-day period shall
2 appear 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
6 supreme court or superintendent of public instruction) shall be
7 reopened for a period of three normal business days, such three
8 day period to be fixed by the election officer with whom such
9 declarations of candidacy are filed and notice thereof given by
10 notifying press, radio, and television in the county and by such
11 other means as may now or hereafter be provided by law, when:

12 (1) A void in candidacy for such nonpartisan office occurs on
13 or after the (~~fourth~~) sixth Tuesday prior to a primary but prior
14 to the (~~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,
17 section 29, Amendment 41 of the state Constitution, dies or is
18 disqualified within the ten day period (~~when a petition for write-~~
19 ~~in candidacy may be received~~) immediately following the last day
20 alloted for a 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
23 (~~fourth~~) sixth Tuesday before an election leaving an unexpired
24 term to be filled by an election for which filings have not been
25 held.

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

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

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

36 Any such special three-day filing period shall be fixed by the

1 election officer with whom declarations of candidacy for that
2 office are filed. The election officer shall give notice of the
3 special three-day filing period by notifying the press, radio, and
4 television in the county or counties involved, and by such other
5 means as may be required by law.

6 Candidacies validly filed within the special three-day filing
7 period shall appear on the primary ballot as if filed during the
8 regular filing period.

9

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

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

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

33 Should such vacancy occur after the (~~third~~) sixth Tuesday
34 prior to said state primary or general election and time does not
35 exist in which to correct (~~paper~~) ballots (including absentee
36 ballots) (~~or voting machine labels~~), either in total or in part,
37 then the votes cast or recorded for the person who has died or

1 become disqualified shall be counted for the person who has been
2 named to fill such vacancy.

3 When the secretary of state is the person with whom the
4 appointment by the major or minor political party is filed, he
5 shall, in certifying candidates or nominations to the various
6 county officers insert the name of the person appointed to fill a
7 vacancy.

8 In the event that the secretary of state has already sent forth
9 his certificate when the appointment to fill a vacancy is filed
10 with him, he shall forthwith certify to the county auditors of the
11 proper counties the name and place of residence of the person
12 appointed to fill a vacancy, the office for which he is a
13 candidate or nominee, the party he represents and all other
14 pertinent facts pertaining to the vacancy.

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