
State Government Committee

HJR 4206

Brief Description: Amending the Constitution to provide for vacancies that occur after the general election.

Sponsors: Representatives Hudgins, Nixon, Flannigan, Pettigrew, Clibborn, Kenney, Haigh, Hinkle, Bailey, Morrell and Upthegrove.

Brief Summary of Bill

- Amends the state constitution to allow candidates who have been elected for a legislative or partisan county office to take office immediately upon certification of the election results if the office is vacated anytime between the general election and the start of the next term.

Hearing Date: 2/20/03

Staff: Katie Blinn (786-7114).

Background:

If a legislative or partisan county office is vacated, the county legislative body must appoint someone to serve until the successor is elected at the next general election. Once the election results are certified, the successor must take office immediately.

If the office is vacated in a year that it would not otherwise appear on the ballot, it must be vacated at least six weeks before the primary in order for the successor to be elected at the general election. If the office is vacated in a year that it would not otherwise appear on the ballot anytime after the sixth week before the primary election, the appointee serves until the successor is elected at the general election the following year. If the office is vacated in a year that it is already on the ballot anytime after the sixth week before the primary election, the appointee serves until the successor is elected and certified.

Amendments to the state constitution require a 2/3 majority approval in the Legislature and simple majority approval by the people at the following general election.

Summary of Bill:

If a vacancy occurs in a legislative or partisan county office after the general election in a year that the position appears on the ballot and before the start of the next term, the successor may take office immediately after the election results are certified. The successor does not have to be appointed by the county legislative body.

If the joint resolution is approved by the Legislature, the constitutional amendment will be placed on the November general election ballot for approval by the people.

Appropriation: None.

Fiscal Note: Not Requested.