
**State Government Operations &
Accountability Committee**

HJR 4200

Brief Description: Amending the Constitution to require election of superior court judges at the general election.

Sponsors: Representatives Hinkle, Campbell and B. Sullivan.

Brief Summary of Bill

- Amends the state constitution to remove the requirement that general elections will not occur if only one candidate for superior court judge is entitled to appear on the general election ballot after a contested primary.

Hearing Date: 1/19/05

Staff: James Allen (786-7114).

Background:

Article IV, section 29 of Washington's Constitution governs elections of superior court judges. First, in counties with a population of 100,000 or more, if a candidate for superior court judge is the only candidate for the position after the last day for candidates to withdraw, then he or she receives a certificate of election. No primary or general election is held in those circumstances.

Second, in any county, if after a contested primary for a superior court position only one candidate is entitled to have his or her name appear on the general election ballot, then a general election is not held for that position, and that candidate receives a certificate of election. In such a case a general election must be held, however, if the county auditor receives notice that a write-in candidacy will take place and a petition to that effect is filed.

The elections statutes provide that a candidate for superior court judge is entitled to have only his or her name appear on the general election ballot if that candidate receives a majority of votes cast for that position.

Summary of Bill:

The Washington Constitution's provisions regarding election of superior court judges are amended. The provision is removed that authorized issuance of certificate of election to a superior court candidate who was entitled to have only his or her name appear on the ballot after a contested primary. The provisions regarding filing a petition for a write-in candidacy are also

removed. The bill does not change the constitutional provision that allows a certificate of election to be issued to a candidate for superior court judge who is the only candidate for the position after the last day for candidates to withdraw in counties with a population of 100,000 or more

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Takes effect immediately if ratified by the voters at the 2005 general election.