

2ESSB 5171 - H AMD TO SGTA COMM AMD (H-2266.3/11) **517**

By Representative Taylor

FAILED 04/09/2011

1 On page 8, line 27 of the striking amendment, after "term" strike
2 "for which a successor must be elected at the next general election"

3
4 On page 9, beginning on line 5 of the striking amendment, after
5 "follows:" strike all material through "RCW 29A.28.071" on line 35 and
6 insert the following:

7 "~~((Filings for a nonpartisan office (other than judge of the~~
8 ~~supreme court or superintendent of public instruction))~~ If, prior to
9 the day of the primary, any of the following occur, filings shall be
10 reopened for a period of three normal business days, such three-day
11 period to be fixed by the ~~((election officer with whom such~~
12 ~~declarations of candidacy are filed and notice thereof given by~~
13 ~~notifying press, radio, and television in the county and by such other~~
14 ~~means as may now or hereafter be provided by law, when))~~ filing
15 officer:

16 (1) A void in candidacy ~~((for such nonpartisan office))~~ occurs
17 ~~((on or after the eleventh Tuesday prior to a primary but prior to the~~
18 ~~eleventh Tuesday before an election))~~ following the regular filing
19 period and deadline to withdraw; or

20 (2) ~~((A nominee for judge of the superior court eligible after a~~
21 ~~contested primary for a certificate of election by Article 4, section~~
22 ~~29, Amendment 41 of the state Constitution, dies or is disqualified~~
23 ~~within the ten-day period immediately following the last day allotted~~
24 ~~for a candidate to withdraw; or~~

25 ~~— (3) A vacancy occurs in any nonpartisan office on or after the~~
26 ~~eleventh Tuesday prior to a primary but prior to the eleventh Tuesday~~
27 ~~before an election leaving an unexpired term to be filled by an~~

1 ~~election for which filings have not been held.))~~ A vacancy occurs in
2 an office for which filings have not already been held, leaving an
3 unexpired term.

4 The filing officer shall provide notice of the vacancy and filing
5 period to newspapers, radio, and television in the county, and online.
6 The position shall appear on the general election ballots unless a
7 candidate for superior court judge is entitled to a certificate of
8 election pursuant to Article 4, section 29 of the state Constitution.

9 The candidate receiving a plurality of the votes cast for that
10 office in the general election shall be deemed elected. This section
11 does not apply to voids in candidacy in the office of precinct
12 committee officer, which are filled by appointment pursuant to RCW
13 29A.28.071"

14
15 On page 24, beginning on line 3 of the striking amendment, after
16 "period," strike all material through "period" on line 9 and insert
17 the following:

18 "the position shall be open for filing during the regular filing
19 period and a successor shall be qualified at the primary and elected
20 ((to that office)) at ((that)) the general election. If a vacancy
21 occurs after the first day of the regular filing period but before the
22 day of the primary, a successor shall be elected at the general
23 election. Except during the last year of the term of office, if such
24 a vacancy occurs on or after the ((eleventh Tuesday prior to)) day of
25 the primary for that general election,"

26

EFFECT: (1) Revises the filing procedures for vacant offices by deleting provisions requiring that the vacancy must pertain to an office that leaves an unexpired term for which a successor must be elected at the next general election; and (2) authorizes a special three day filing period in the event a vacancy occurs in an office for which filings have not already been held and which leaves an unexpired term.

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