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**SUBSTITUTE HOUSE BILL 1919**

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**State of Washington**

**64th Legislature**

**2015 Regular Session**

**By** House State Government (originally sponsored by Representative S. Hunt)

READ FIRST TIME 02/20/15.

1           AN ACT Relating to the timing of special elections; amending RCW  
2 29A.04.321, 29A.04.330, 29A.32.280, and 35.17.260; and reenacting and  
3 amending RCW 29A.60.190.

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

5           **Sec. 1.** RCW 29A.04.321 and 2013 c 11 s 8 are each amended to  
6 read 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, and district officers, and for the submission to the  
10 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  
13 which they may be called. A statewide general election shall be held  
14 on the first Tuesday after the first Monday of November of each year.  
15 However, the statewide general election held in odd-numbered years  
16 shall be limited to (a) city, town, and district general elections as  
17 provided for in RCW 29A.04.330, or as otherwise provided by law; (b)  
18 the election of federal officers for the remainder of any unexpired  
19 terms in the membership of either branch of the Congress of the  
20 United States; (c) the election of state and county officers for the  
21 remainder of any unexpired terms of offices created by or whose

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

11 (2) A county legislative authority may call a special county  
12 election by presenting a resolution to the county auditor prior to  
13 the proposed election date. A special election called by the county  
14 legislative authority shall be held on one of the following dates as  
15 decided by such governing body:

16 (a) The second Tuesday in February;

17 (b) The fourth Tuesday in April;

18 (c) The day of the primary as specified by RCW 29A.04.311; or

19 (d) The first Tuesday after the first Monday in November.

20 (3) A resolution calling for a special election on a date set  
21 forth in subsection (2)(a) and (b) of this section must be presented  
22 to the county auditor at least (~~forty-six~~) sixty days prior to the  
23 election date. A resolution calling for a special election on a date  
24 set forth in subsection (2)(c) of this section must be presented to  
25 the county auditor no later than the Friday immediately before the  
26 first day of regular candidate filing. A resolution calling for a  
27 special election on a date set forth in subsection (2)(d) of this  
28 section must be presented to the county auditor no later than the day  
29 of the primary.

30 (4) In addition to the dates set forth in subsection (2)(a)  
31 through (d) of this section, a special election to validate an excess  
32 levy or bond issue may be called at any time to meet the needs  
33 resulting from fire, flood, earthquake, or other act of God. Such  
34 county special election shall be noticed and conducted in the manner  
35 provided by law.

36 (5) This section shall supersede the provisions of any and all  
37 other statutes, whether general or special in nature, having  
38 different dates for such city, town, and district elections, the  
39 purpose of this section being to establish mandatory dates for  
40 holding elections. This section shall not be construed as fixing the

1 time for holding primary elections, or elections for the recall of  
2 any elective public officer.

3 **Sec. 2.** RCW 29A.04.330 and 2013 c 11 s 9 are each amended to  
4 read as follows:

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

8 This section shall not apply to:

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

10 (b) Public utility districts, conservation districts, or district  
11 elections at which the ownership of property within those districts  
12 is a prerequisite to voting, all of which elections shall be held at  
13 the times prescribed in the laws specifically applicable thereto;

14 (c) Consolidation proposals as provided for in RCW 28A.315.235  
15 and nonhigh capital fund aid proposals as provided for in chapter  
16 28A.540 RCW; and

17 (d) Special flood control districts consisting of three or more  
18 counties.

19 (2) The county auditor, as ex officio supervisor of elections,  
20 upon request in the form of a resolution of the governing body of a  
21 city, town, or district, presented to the auditor prior to the  
22 proposed election date, shall call a special election in such city,  
23 town, or district, and for the purpose of such special election he or  
24 she may combine, unite, or divide precincts. Such a special election  
25 shall be held on one of the following dates as decided by the  
26 governing body:

27 (a) The second Tuesday in February;

28 (b) The fourth Tuesday in April;

29 (c) The day of the primary election as specified by RCW  
30 29A.04.311; or

31 (d) The first Tuesday after the first Monday in November.

32 (3) A resolution calling for a special election on a date set  
33 forth in subsection (2)(a) and (b) of this section must be presented  
34 to the county auditor at least (~~forty-six~~) sixty days prior to the  
35 election date. A resolution calling for a special election on a date  
36 set forth in subsection (2)(c) of this section must be presented to  
37 the county auditor no later than the Friday immediately before the  
38 first day of regular candidate filing. A resolution calling for a  
39 special election on a date set forth in subsection (2)(d) of this

1 section must be presented to the county auditor no later than the day  
2 of the primary.

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

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

17 **Sec. 3.** RCW 29A.32.280 and 2003 c 111 s 820 are each amended to  
18 read as follows:

19 For each measure from a unit of local government that is included  
20 in a local voters' pamphlet, the legislative authority of that  
21 jurisdiction shall, not later than (~~forty-five days before the~~  
22 ~~publication of the pamphlet~~) the resolution deadline, formally  
23 appoint a committee to prepare arguments advocating voters' approval  
24 of the measure and shall formally appoint a committee to prepare  
25 arguments advocating voters' rejection of the measure. The authority  
26 shall appoint persons known to favor the measure to serve on the  
27 committee advocating approval and shall, whenever possible, appoint  
28 persons known to oppose the measure to serve on the committee  
29 advocating rejection. Each committee shall have not more than three  
30 members, however, a committee may seek the advice of any person or  
31 persons. If the legislative authority of a unit of local government  
32 fails to make such appointments by the prescribed deadline, the  
33 county auditor shall whenever possible make the appointments.

34 **Sec. 4.** RCW 29A.60.190 and 2011 c 349 s 21 and 2011 c 10 s 58  
35 are each reenacted and amended to read as follows:

36 Ten days after a special election held in February or April,  
37 fourteen days after a primary, or (~~special election and~~) twenty-one  
38 days after a general election, the county canvassing board shall

1 complete the canvass and certify the results. Each ballot that was  
2 returned before 8:00 p.m. on the day of the special election, general  
3 election, or primary, and each ballot bearing a postmark on or before  
4 the date of the special election, general election, or primary and  
5 received no later than the day before certification, must be included  
6 in the canvass report.

7 **Sec. 5.** RCW 35.17.260 and 1996 c 286 s 4 are each amended to  
8 read as follows:

9 Ordinances may be initiated by petition of registered voters of  
10 the city filed with the commission. If the petition accompanying the  
11 proposed ordinance is signed by the registered voters in the city  
12 equal in number to twenty-five percent of the votes cast for all  
13 candidates for mayor at the last preceding city election, and if it  
14 contains a request that, unless passed by the commission, the  
15 ordinance be submitted to a vote of the registered voters of the  
16 city, the commission shall either:

17 (1) Pass the proposed ordinance without alteration within twenty  
18 days after the county auditor's certificate of sufficiency has been  
19 received by the commission; or

20 (2) Immediately after the county auditor's certificate of  
21 sufficiency for the petition is received, cause to be called a  
22 special election to be held on the next election date, as provided in  
23 RCW ((29.13.020)) 29A.04.330, ((that occurs not less than forty-five  
24 days thereafter)) provided that the resolution deadline for that  
25 election has not passed, for submission of the proposed ordinance  
26 without alteration, to a vote of the people unless a general election  
27 will occur within ninety days, in which event submission must be made  
28 on the general election ballot.

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