

ESHB 1932 - S COMM AMD

By Committee on State Government & Elections

NOT CONSIDERED 03/07/2024

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that participation  
4 in local government elections is integral to ensuring that local  
5 governments and elected officials accurately represent and are  
6 accountable to the communities which they serve. The legislature  
7 believes that when there is low voter participation in an election,  
8 policy outcomes are more favorable to special interests and less  
9 reflective of the needs of the broader community. Over the past eight  
10 years, Washington has had a dramatic gap between odd-year and even-  
11 year voter participation: Participation in local elections in odd-  
12 numbered years averages around 40.5 percent, while even-numbered year  
13 elections average around 80 percent participation, nearly double that  
14 of odd-year elections.

15 Under current law, local governments generally must conduct  
16 elections in odd-numbered years that do not coincide with federal or  
17 state elections. The legislature believes that holding local  
18 government elections in even-numbered years will increase voter  
19 turnout and ensure that a broader cross-section of voters participate  
20 in contests for local offices, resulting in local governments that  
21 more accurately represent and reflect the desires and needs of their  
22 communities. In particular, an increase in voter turnout will ensure  
23 that the voices of younger voters, working and low-income families,  
24 and people with disabilities are heard. Therefore, to increase voter  
25 participation in local elections, the legislature intends to provide  
26 local governments the option to conduct local elections in even-  
27 numbered years.

28 **Sec. 2.** RCW 29A.04.330 and 2015 c 146 s 2 are each amended to  
29 read as follows:

30 (1) All city, town, and district general elections shall be held  
31 throughout the state of Washington on the first Tuesday following the

1 first Monday in November in the odd-numbered years, except as  
2 provided in subsection (6) of this section.

3 This section shall not apply to:

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

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

9 (c) Consolidation proposals as provided for in RCW 28A.315.235  
10 and nonhigh capital fund aid proposals as provided for in chapter  
11 28A.540 RCW; and

12 (d) Special flood control districts consisting of three or more  
13 counties.

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

22 (a) The second Tuesday in February;

23 (b) The fourth Tuesday in April;

24 (c) The day of the primary election as specified by RCW  
25 29A.04.311; or

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

27 (3) A resolution calling for a special election on a date set  
28 forth in subsection (2)(a) and (b) of this section must be presented  
29 to the county auditor at least sixty days prior to the election date.  
30 A resolution calling for a special election on a date set forth in  
31 subsection (2)(c) of this section must be presented to the county  
32 auditor no later than the Friday immediately before the first day of  
33 regular candidate filing. A resolution calling for a special election  
34 on a date set forth in subsection (2)(d) of this section must be  
35 presented to the county auditor no later than the day of the primary.

36 (4) In addition to subsection (2)(a) through (d) of this section,  
37 a special election to validate an excess levy or bond issue may be  
38 called at any time to meet the needs resulting from fire, flood,  
39 earthquake, or other act of God, except that no special election may  
40 be held between the first day for candidates to file for public

1 office and the last day to certify the returns of the general  
2 election other than as provided in subsection (2)(c) and (d) of this  
3 section. Such special election shall be conducted and notice thereof  
4 given in the manner provided by law.

5 (5) This section shall supersede the provisions of any and all  
6 other statutes, whether general or special in nature, having  
7 different dates for such city, town, and district elections, the  
8 purpose of this section being to establish mandatory dates for  
9 holding elections, with the exception of subsection (6) of this  
10 section.

11 (6) A city or town that holds its elections under this title may  
12 choose to hold its regular elections in even-numbered years by  
13 providing notice to the county or counties in which it is located  
14 following both adoption of an ordinance or policy, and approval by  
15 the voters of an ordinance or charter amendment referred by its  
16 legislative body.

17 (a) A city or town moving its regular elections to even-numbered  
18 years must hold two public hearings not less than 30 days apart to  
19 consider public input. A vote on final adoption may be taken only  
20 after at least 30 days have elapsed since the date on which the  
21 second of the two public hearings was held.

22 (b) A city or town moving its regular elections to even-numbered  
23 years must transition from odd-numbered to even-numbered years by  
24 electing each position to one term that is one year shorter in  
25 duration than provided by law. After conclusion of that term,  
26 beginning in an even-numbered year, elections for positions must be  
27 for their prescribed term lengths.

28 (c) A city or town that chooses to hold its elections in even-  
29 numbered years must do so for all elected positions in the  
30 jurisdiction.

31 (d) If a city or town repeals an ordinance, charter amendment, or  
32 policy that moved its elections to even-numbered years, the  
33 jurisdiction shall transition back to odd-numbered year elections by  
34 electing each position to one term that is one year shorter in  
35 duration than provided by law. After conclusion of that term,  
36 beginning in an odd-numbered year, elections for positions must be  
37 for their prescribed term lengths.

38 (e) An ordinance, charter amendment, or policy must be adopted by  
39 January 15th of an odd-numbered year for the city or town to begin  
40 transition under (b) of this subsection in that calendar year.

1       **Sec. 3.** RCW 35.17.020 and 2013 c 11 s 87 are each amended to  
2 read as follows:

3       (1) All regular elections in cities organized under the statutory  
4 commission form of government shall be held quadrennially in the odd-  
5 numbered years on the dates provided in RCW 29A.04.330, except for  
6 cities that are moving or have moved their regular elections to even-  
7 numbered years under RCW 29A.04.330. (~~However, after commissioners~~  
8 ~~are elected at the next general election occurring in 1995 or 1997,~~  
9 ~~regular elections in cities organized under a statutory commission~~  
10 ~~form of government shall be held biennially at municipal general~~  
11 ~~elections.))~~

12       (2) The commissioners shall be nominated and elected at large.  
13 Their terms shall be for four years, unless the city is transitioning  
14 its regular elections to even-numbered years as provided by RCW  
15 29A.04.330, and until their successors are elected and qualified and  
16 assume office in accordance with RCW 29A.60.280. However, at the next  
17 regular election of a city organized under a statutory commission  
18 form of government, the terms of office of commissioners shall occur  
19 with the person who is elected as a commissioner receiving the least  
20 number of votes being elected to a two-year term of office and the  
21 other two persons who are elected being elected to four-year terms of  
22 office. Thereafter, commissioners shall be elected to four-year terms  
23 of office.

24       (3) Vacancies on a commission shall occur and shall be filled as  
25 provided in chapter 42.12 RCW.

26       **Sec. 4.** RCW 35.18.270 and 1994 c 223 s 13 are each amended to  
27 read as follows:

28       If the majority of the votes cast at a special election for  
29 organization on the council-manager plan favor the plan, the city or  
30 town shall elect the council required under the council-manager plan  
31 in number according to its population at the next municipal general  
32 election. However, special elections shall be held to nominate and  
33 elect the new city councilmembers at the next primary and general  
34 election held in an even-numbered year if the next municipal general  
35 election is more than one year after the date of the election at  
36 which the voters approved the council-manager plan, unless the city  
37 or town is moving or has moved its regularly scheduled elections to  
38 even-numbered years as provided by RCW 29A.04.330, in which case it  
39 shall hold regular elections rather than special elections. The

1 staggering of terms of office shall occur at the election when the  
2 new councilmembers are elected, where the simple majority of the  
3 persons elected as councilmembers receiving the greatest numbers of  
4 votes shall be elected to four-year terms of office if the election  
5 is held in an odd-numbered year, or three-year terms of office if the  
6 election is a special election held in an even-numbered year, and the  
7 remainder of the persons elected as councilmembers shall be elected  
8 to two-year terms of office if the election is held in an odd-  
9 numbered year, or one-year terms of office if the election is a  
10 special election held in an even-numbered year. The initial  
11 councilmembers shall take office immediately when they are elected  
12 and qualified, but the lengths of their terms of office shall be  
13 calculated from the first day in January in the year following the  
14 election.

15 **Sec. 5.** RCW 35.23.051 and 2019 c 454 s 5 are each amended to  
16 read as follows:

17 General municipal elections in second-class cities shall be held  
18 biennially in the odd-numbered years and shall be subject to general  
19 election law, unless a second-class city is moving or has moved its  
20 general municipal elections to even-numbered years under the process  
21 provided for in RCW 29A.04.330.

22 The terms of office of the mayor, city attorney, clerk, and  
23 treasurer shall be four years and until their successors are elected  
24 and qualified and assume office in accordance with RCW 29A.60.280,  
25 unless the second-class city is transitioning its general municipal  
26 elections to even-numbered years as provided by RCW 29A.04.330:  
27 PROVIDED, That if the offices of city attorney, clerk, and treasurer  
28 are made appointive, the city attorney, clerk, and treasurer shall  
29 not be appointed for a definite term: PROVIDED FURTHER, That the term  
30 of the elected treasurer shall not commence in the same biennium in  
31 which the term of the mayor commences, nor in which the terms of the  
32 city attorney and clerk commence if they are elected.

33 Council positions shall be numbered in each second-class city so  
34 that council position seven has a two-year term of office and council  
35 positions one through six shall each have four-year terms of office.  
36 Each councilmember shall remain in office until a successor is  
37 elected and qualified and assumes office in accordance with RCW  
38 29A.60.280.

1 In its discretion the council of a second-class city may divide  
2 the city by ordinance, into a convenient number of wards, not  
3 exceeding six, fix the boundaries of the wards, and change the ward  
4 boundaries from time to time and as provided in RCW 29A.76.010. No  
5 change in the boundaries of any ward shall be made within one hundred  
6 twenty days next before the date of a general municipal election, nor  
7 within twenty months after the wards have been established or altered  
8 unless pursuant to RCW 29A.92.040 or 29A.92.110. However, if a  
9 boundary change results in one ward being represented by more  
10 councilmembers than the number to which it is entitled, those having  
11 the shortest unexpired terms shall be assigned by the council to  
12 wards where there is a vacancy, and the councilmembers so assigned  
13 shall be deemed to be residents of the wards to which they are  
14 assigned for purposes of determining whether those positions are  
15 vacant.

16 Whenever such city is so divided into wards, the city council  
17 shall designate by ordinance the number of councilmembers to be  
18 elected from each ward, apportioning the same in proportion to the  
19 population of the wards. Thereafter the councilmembers so designated  
20 shall be elected by the voters resident in such ward, or by general  
21 vote of the whole city as may be designated in such ordinance.  
22 Council position seven shall not be associated with a ward and the  
23 person elected to that position may reside anywhere in the city and  
24 voters throughout the city may vote at a primary to nominate  
25 candidates for position seven, when a primary is necessary, and at a  
26 general election to elect the person to council position seven.  
27 Additional territory that is added to the city shall, by act of the  
28 council, be annexed to contiguous wards without affecting the right  
29 to redistrict at the expiration of twenty months after last previous  
30 division. The removal of a councilmember from the ward for which he  
31 or she was elected shall create a vacancy in such office.

32 Wards shall be redrawn as provided in chapter 29A.76 RCW. Wards  
33 shall be used as follows: (1) Only a resident of the ward may be a  
34 candidate for, or hold office as, a councilmember of the ward; and  
35 (2) only voters of the ward may vote at a primary to nominate  
36 candidates for a councilmember of the ward. Voters of the entire city  
37 may vote at the general election to elect a councilmember of a ward,  
38 unless the city had prior to January 1, 1994, limited the voting in  
39 the general election for any or all council positions to only voters  
40 residing within the ward associated with the council positions. If a

1 city had so limited the voting in the general election to only voters  
2 residing within the ward, then the city shall be authorized to  
3 continue to do so. The elections for the remaining council position  
4 or council positions that are not associated with a ward shall be  
5 conducted as if the wards did not exist.

6 **Sec. 6.** RCW 35.27.090 and 2009 c 549 s 2056 are each amended to  
7 read as follows:

8 All general municipal elections in towns shall be held biennially  
9 in the odd-numbered years as provided in RCW 29A.04.330, except in  
10 towns that are moving or have moved their regular elections to even-  
11 numbered years under RCW 29A.04.330. The term of office of the mayor  
12 and treasurer shall be four years and until their successors are  
13 elected and qualified and assume office in accordance with RCW  
14 ((29A.20.040)) 29A.60.280, unless the town is transitioning its  
15 general municipal elections to even-numbered years as provided by RCW  
16 29A.04.330: PROVIDED, That the term of the treasurer shall not  
17 commence in the same biennium in which the term of the mayor  
18 commences. Councilmembers shall be elected for four-year terms,  
19 unless the town is transitioning its general municipal elections to  
20 even-numbered years as provided by RCW 29A.04.330, and until their  
21 successors are elected and qualified and assume office in accordance  
22 with RCW ((29A.20.040)) 29A.60.280; three at one election and two at  
23 the next succeeding biennial election.

24 **Sec. 7.** RCW 35.30.080 and 2015 c 53 s 42 are each amended to  
25 read as follows:

26 (1) When a majority of the legislative body of an unclassified  
27 city determines that it would serve the best interests and general  
28 welfare of such municipality to change the election procedures of  
29 such city to the procedures specified in this section, such  
30 legislative body may, by resolution, declare its intention to adopt  
31 such procedures for the city. Such resolution must be adopted at  
32 least one hundred eighty days before the general municipal election  
33 at which the new election procedures are implemented. Within ten days  
34 after the passage of the resolution, the legislative body shall cause  
35 it to be published at least once in a newspaper of general  
36 circulation within the city.

37 (2) All general municipal elections in an unclassified city  
38 adopting a resolution under subsection (1) of this section shall be

1 held biennially (~~in the odd-numbered years~~) as provided in RCW  
2 29A.04.330 and shall be held in accordance with the general election  
3 laws of the state. An unclassified city may hold its general  
4 municipal elections in even-numbered years under RCW 29A.04.330 but  
5 remains obligated to comply with the requirements of this section.

6 The term of the treasurer shall not commence in the same biennium  
7 in which the term of the mayor commences. Candidates for the city  
8 council shall run for specific council positions. The staggering of  
9 terms of city officers shall be established at the first election,  
10 where the simple majority of the persons elected as councilmembers  
11 receiving the greatest numbers of votes shall be elected to four-year  
12 terms of office and the remainder of the persons elected as  
13 councilmembers and the treasurer shall be elected to two-year terms  
14 of office. Thereafter, all elected city officers shall be elected for  
15 four-year terms and until their successors are elected and qualified  
16 and assume office in accordance with RCW 29A.60.280.

17 **Sec. 8.** RCW 35A.02.050 and 2015 c 53 s 48 are each amended to  
18 read as follows:

19 The first election of officers where required for reorganization  
20 under a different general plan of government newly adopted in a  
21 manner provided in RCW 35A.02.020, 35A.02.030, 35A.06.030, or  
22 35A.06.060, as now or hereafter amended, shall be at the next general  
23 municipal election if one is to be held more than ninety days but not  
24 more than one hundred (~~and~~) eighty days after certification of a  
25 reorganization ordinance or resolution, or otherwise at a special  
26 election to be held for that purpose in accordance with RCW  
27 29A.04.330, unless the city or town is moving or has moved its  
28 regularly scheduled elections to even-numbered years as provided by  
29 RCW 29A.04.330, in which case it shall hold regular elections rather  
30 than special elections. In the event that the first election of  
31 officers is to be held at a general municipal election, such election  
32 shall be preceded by a primary election pursuant to RCW 29A.52.210  
33 and 29A.04.311. In the event that the first election of all officers  
34 is to be held at a special election rather than at a general  
35 election, and notwithstanding any provisions of any other law to the  
36 contrary, such special election shall be preceded by a primary  
37 election to be held on a date authorized by RCW 29A.04.321, and the  
38 persons nominated at that primary election shall be voted upon at the  
39 next succeeding special election that is authorized by RCW



1 29A.04.321: PROVIDED, That in the event the ordinances calling for  
2 reclassification or reclassification and reorganization under the  
3 provisions of (~~Title 35A RCW~~) this title have been filed with the  
4 secretary of state pursuant to RCW 35A.02.040 for a special election  
5 in an even-numbered year at least ninety days prior to a state  
6 general election then the election of new officers shall be  
7 concurrent with the state primary and general election and shall be  
8 conducted as set forth in general election law.

9 Upon reorganization, candidates for all offices shall file or be  
10 nominated for and successful candidates shall be elected to specific  
11 council positions. The initial terms of office for those elected at a  
12 first election of all officers shall be as follows: (1) A simple  
13 majority of the persons who are elected as councilmembers receiving  
14 the greatest numbers of votes and the mayor in a city with a mayor-  
15 council plan of government shall be elected to four-year terms of  
16 office, if the election is held in an odd-numbered year, or three-  
17 year terms of office, if the election is held in an even-numbered  
18 year except in the case of special elections in an even-numbered  
19 year, when terms are three years; and (2) the other persons who are  
20 elected as councilmembers shall be elected to two-year terms of  
21 office, if the election is held in an odd-numbered year, or one-year  
22 terms of office, if the election is held in an even-numbered year  
23 except in the case of special elections in an even-numbered year,  
24 when terms are one year. The newly elected officials shall take  
25 office immediately when they are elected and qualified, but the  
26 length of their terms of office shall be calculated from the first  
27 day of January in the year following the election. Thereafter, each  
28 person elected as a councilmember or mayor in a city with a mayor-  
29 council plan of government shall be elected to a four-year term of  
30 office. Each councilmember and mayor in a city with a mayor-council  
31 plan of government shall serve until a successor is elected and  
32 qualified and assumes office as provided in RCW 29A.60.280.

33 The former officers shall, upon the election and qualification of  
34 new officers, deliver to the proper officers of the reorganized  
35 noncharter code city all books of record, documents and papers in  
36 their possession belonging to such municipal corporation before the  
37 reorganization thereof.

38 **Sec. 9.** RCW 3.50.040 and 2002 c 136 s 2 are each amended to read  
39 as follows:

1        Within thirty days after the effective date of the ordinance  
2 creating the municipal court, the mayor of each city or town shall  
3 appoint a municipal judge or judges of the municipal court for a term  
4 of four years. The terms of judges serving on July 1, 1984, and  
5 municipal judges who are appointed to terms commencing before January  
6 1, 1986, shall expire January 1, 1986. The terms of their successors  
7 shall commence on January 1, 1986, and on January 1 of each fourth  
8 year thereafter, pursuant to appointment or election as provided in  
9 this chapter. Term lengths for municipal judges may be modified to  
10 comply with RCW 29A.04.330(6). Appointments shall be made on or  
11 before December 1 of the year next preceding the year in which the  
12 terms commence.

13        The legislative authority of a city or town that has the general  
14 power of confirmation over mayoral appointments shall have the power  
15 to confirm the appointment of a municipal judge.

16        A person appointed as a full-time or part-time municipal judge  
17 shall be a citizen of the United States of America and of the state  
18 of Washington; and an attorney admitted to practice law before the  
19 courts of record of the state of Washington: PROVIDED, That in a  
20 municipality having a population less than five thousand persons, a  
21 person who has taken and passed by January 1, 2003, the qualifying  
22 examination for a lay candidate for judicial officer as provided by  
23 rule of the supreme court may be the judge. Any city or town shall  
24 have authority to appoint a district judge as its municipal judge  
25 when the municipal judge is not required to serve full time. In the  
26 event of the appointment of a district judge, the city or town shall  
27 pay a pro rata share of the salary.

28        **Sec. 10.** RCW 3.50.050 and 1984 c 258 s 107 are each amended to  
29 read as follows:

30        The legislative authority of the city or town may, by ordinance,  
31 provide that the position of municipal judge within the city or town  
32 shall be an elective position. The ordinance shall provide for the  
33 qualifications of the municipal judge which shall be the same as the  
34 qualifications necessary for the appointment thereof; and further,  
35 shall provide that the municipal judge shall be elected in the same  
36 manner as other elective city officials are elected to office, and  
37 that the term of the municipal judge shall be for a term of four  
38 years commencing on January 1, 1986, and every four years thereafter.

1 Term lengths for municipal judges may be modified to comply with RCW  
2 29A.04.330(6)."

**ESHB 1932** - S COMM AMD

By Committee on State Government & Elections

**NOT CONSIDERED 03/07/2024**

3 On page 1, at the beginning of line 3 of the title, strike the  
4 remainder of the title and insert "amending RCW 29A.04.330,  
5 35.17.020, 35.18.270, 35.23.051, 35.27.090, 35.30.080, 35A.02.050,  
6 3.50.040, and 3.50.050; and creating a new section."

EFFECT: Limits the authorization to move general elections to even-numbered years to cities and towns. Requires a city or town to both (1) adopt an ordinance or policy by its legislative body, and (2) receive approval by its voters to move its general elections to even-numbered years.

--- END ---