

# HOUSE BILL REPORT

## HB 2402

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*As Reported By House Committee on:  
State Government*

**Title:** An act relating to special elections.

**Brief Description:** Setting certain special election dates.

**Sponsor(s):** Representatives Anderson, McLean, Pruitt, Chandler, O'Brien, Horn, Orr and May.

**Brief History:**

Reported by House Committee on:  
State Government, January 22, 1992, DPS.

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**HOUSE COMMITTEE ON  
STATE GOVERNMENT**

**Majority Report:** *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 10 members: Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

**Staff:** Kenneth Hirst (786-7105).

**Background:** Local Special Elections. If the legislative authority of a county deems an emergency to exist, it may call a special election on any of the following dates: the first Tuesday following a Monday in February; the second Tuesday in March; the first Tuesday following a Monday in April; the fourth Tuesday in May; the state primary; or the general election. In addition, the county legislative authority may call a special election at any time to validate a levy or bond issue to meet needs resulting from the failure of a levy or to respond to a natural disaster.

A unit of local government other than a county may request the county auditor to conduct a special election on any of the dates specified for use by the county. The auditor may call the election if the auditor deems an emergency to exist. Special elections for such other local governments may also be called at any time to validate a failed levy or bond issue or to respond to a natural disaster.

Presidential Primary. Initiative No. 99 established a presidential preferential primary in this state and directed that the presidential primary be held on the fourth Tuesday in May of a presidential election year unless the date were to be altered by the secretary of state to facilitate a regional primary. It also changed the date in May during which a special election could be conducted. The date is now the statutorily set presidential primary date in May.

The date of this year's presidential primary has been set by the secretary of state for May 19th, the third Tuesday in May.

**Summary of Substitute Bill:** If a presidential primary is conducted in this state at any time during February through May, a local special election may also be conducted on the date of that primary in lieu of any other date specified by law for conducting special elections during the month of the presidential primary. The date specified by law for conducting special elections during May is changed to the third Tuesday in May.

**Substitute Bill Compared to Original Bill:** The original bill changed the May special election date for all local jurisdictions except counties. The substitute bill changes the May date for counties as well.

**Fiscal Note:** Not requested.

**Effective Date of Substitute Bill:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** (1) Several local jurisdictions have called the secretary of state's office requesting authority to conduct special elections on the date of the presidential primary. Without legislation, they cannot do so. (2) This is an important year for using the presidential primary for conducting levy elections since the record voter turnout in November will make validation of levies difficult on other dates. (3) If a special election were conducted one week after the presidential primary, as permitted under current law, the election might be conducted while the uncertified data from the primary is still in the computers used for both the primary and the special election. This would create a major security problem.

**Testimony Against:** None.

**Witnesses:** John Pearson, Office of the Secretary of State (in favor); and Jane Hague, King County Division of Records and Elections (in favor).