

**SENATE BILL REPORT**

**SSB 6067**

**AS PASSED SENATE, FEBRUARY 18, 1992**

**Brief Description:** Creating uniform residency requirements for elected officials.

**SPONSORS:** Senate Committee on Governmental Operations (originally sponsored by Senator McCaslin)

**SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS**

**Majority Report:** That Substitute Senate Bill No. 6067 be substituted therefor, and the substitute bill do pass.

Signed by Senators McCaslin, Chairman; Madsen, and Sutherland.

**Minority Report:** Do not substitute.

Signed by Senator Roach.

**Staff:** Rod McAulay (786-7754)

**Hearing Dates:** January 20, 1992; January 23, 1992

**BACKGROUND:**

The state Constitution, statutes and local home-rule charters establish various requirements for persons to qualify as candidates for elective office. These requirements include status as an eligible voter or registered voter and residency limitations, both as to location and duration.

While the election code requires that all persons appearing as candidates on a ballot be "registered voters" at the time of filing for office, the various statutes pertaining to the requirements for state and local elective office use alternate terms such as "qualified electors," "electors," "legal resident," "resident and elector," and "qualified voters." While there is a considerable amount of overlap in the meaning of some of these terms, there is some inconsistency. For example, it is not necessary to be a "registered voter" to be an "elector" or a "resident."

While statute requires that all candidates for state or local elective office be "electors" in the jurisdictions from which they seek to be elected, there are varying requirements as to the duration of such residency. Candidates for the state Court of Appeals, for office in second class non-code cities, and for office in code cities must have been residents of the jurisdiction from which they seek to be elected for a period of one year. Many city and county home-rule charters impose residency requirements ranging from one to three years. Absent a specific durational requirement, a candidate must

have resided in a jurisdiction for 30 days in order to register to vote.

Durational residency requirements are difficult to monitor at the time of filing and violations are difficult to remedy once election campaigns are underway or the election has occurred. Varying durational residency requirements among jurisdictions are confusing to candidates and voters.

Many of the statutes pertaining to candidate requirements are not gender neutral or gender inclusive.

**SUMMARY:**

Uniform terminology requiring that candidates be registered voters in the jurisdiction from which they seek election is established for all state and local offices. Gender inclusive language is adopted in statutes which are otherwise being amended.

The one-year residency requirement for candidates for the state Court of Appeals, for elective office in non-code second class cities, and for elective office in code cities is eliminated.

No local governmental entity, including charter counties or charter cities may impose a durational residency requirement on any candidate for publicly elected office which is in excess of the requirements necessary to be a registered voter at the time of filing. Any provisions in city or county charters to the contrary are void.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

Establishes consistent terminology and eliminates ambiguities regarding residency. Opens up accessibility to city and county office.

**TESTIMONY AGAINST:**

There is no strong need to preempt the option of charter cities and counties to establish durational residency requirements.

**TESTIFIED:** John Pearson, for Secretary of State; Karen Flynn, Kitsap County Auditor; Stan Finkelstein, AWC; Gary Lowe, WSAC; Lorraine Wilson, WASDD; Joe Daniels, Washington State Association/Waste Water Districts