

---

HOUSE BILL 1592

---

State of Washington

52nd Legislature

1991 Regular Session

By Representatives Anderson, McLean, R. Fisher, Paris and Nealey; by request of Secretary of State.

Read first time February 4, 1991. Referred to Committee on State Government.

1 AN ACT Relating to procedures for calling special local elections;  
2 and amending RCW 29.13.010 and 29.13.020.

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

4 **Sec. 1.** RCW 29.13.010 and 1989 c 4 s 9 are each amended to read as  
5 follows:

6 All state, county, city, town, and district general elections for  
7 the election of federal, state, legislative, judicial, county, city,  
8 town, district, and precinct officers, and for the submission to the  
9 voters of the state, county, city, town, or district of any measure for  
10 their adoption and approval or rejection, shall be held on the first  
11 Tuesday after the first Monday of November, in the year in which they  
12 may be called. A state-wide general election shall be held on the  
13 first Tuesday after the first Monday of November of each year:  
14 PROVIDED, That the state-wide general election held in odd-numbered  
15 years shall be limited to (1) city, town, and district general

1 elections as provided for in RCW 29.13.020 as now or hereafter amended,  
2 or as otherwise provided by law; (2) the election of federal officers  
3 for the remainder of any unexpired terms in the membership of either  
4 branch of the congress of the United States; (3) the election of state  
5 and county officers for the remainder of any unexpired terms of offices  
6 created by or whose duties are described in Article II, section 15,  
7 Article III, sections 16, 17, 19, 20, 21, 22, and 23, and Article IV,  
8 sections 3 and 5 of the state Constitution and RCW 2.06.080; (4) the  
9 election of county officers in any county governed by a charter  
10 containing provisions calling for general county elections at this  
11 time; and (5) the approval or rejection of state measures, including  
12 proposed constitutional amendments, matters pertaining to any proposed  
13 constitutional convention, initiative measures and referendum measures  
14 proposed by the electorate, referendum bills, and any other matter  
15 provided by the legislature for submission to the electorate(~~(~~  
16 ~~PROVIDED FURTHER, That~~)). This section shall not be construed as  
17 fixing the time for holding primary elections, or elections for the  
18 recall of any elective public officer(~~(~~~~PROVIDED HOWEVER, That~~)).  
19 The county legislative authority may(~~(~~~~if they deem an emergency to~~  
20 ~~exist,~~)) call a special county election by presenting a resolution to  
21 the county auditor at least forty-five days prior to the proposed  
22 election date unless the election is to be held in conjunction with the  
23 general election, in which case all resolutions must be submitted to  
24 the auditor not less than sixty-five days before the proposed election  
25 date. A special election called by the county legislative authority  
26 shall be held on one of the following dates as decided by such  
27 governing body:

28 (a) The first Tuesday after the first Monday in February;

29 (b) The second Tuesday in March;

30 (c) The first Tuesday after the first Monday in April;

- 1 (d) The fourth Tuesday in May;
- 2 (e) The day of the primary as specified by RCW 29.13.070; or
- 3 (f) The first Tuesday after the first Monday in November.

4 In addition to the dates set forth in (a) through (f) above, a  
5 special election to validate an excess levy or bond issue may be called  
6 at any time to meet the needs resulting from failure of a county to  
7 pass a special levy for the first time or from fire, flood, earthquake,  
8 or other act of God. Such county special election shall be noticed and  
9 conducted in the manner provided by law.

10 This section shall supersede the provisions of any and all other  
11 statutes, whether general or special in nature, having different dates  
12 for such city, town, and district elections, the purpose of this  
13 section being to establish mandatory dates for holding elections except  
14 for those elections held pursuant to a home-rule charter adopted under  
15 Article XI, section 4 of the state Constitution.

16 **Sec. 2.** RCW 29.13.020 and 1990 c 33 s 562 are each amended to read  
17 as follows:

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

21 This section shall not apply to:

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

23 (b) Public utility districts or district elections at which the  
24 ownership of property within those districts is a prerequisite to  
25 voting, all of which elections shall be held at the times prescribed in  
26 the laws specifically applicable thereto;

27 (c) Consolidation proposals as provided for in RCW 28A.315.280 and  
28 nonhigh capital fund aid proposals as provided for in chapter 28A.540  
29 RCW.

1 (2) The county auditor, as ex officio supervisor of elections, upon  
2 request in the form of a resolution of the governing body of a city,  
3 town, or district, presented to him at least forty-five days prior to  
4 the proposed election date unless the election is to be held in  
5 conjunction with the general election, in which case all resolutions  
6 must be submitted to the auditor not less than sixty-five days before  
7 the proposed election date, may( (, if he deems an emergency to exist, )  
8 call a special election in such city, town, or district, and for the  
9 purpose of such special election he may combine, unite, or divide  
10 precincts. A special election called by such governing body shall be  
11 held on one of the following dates as decided by the governing body:

- 12 (a) The first Tuesday after the first Monday in February;
- 13 (b) The second Tuesday in March;
- 14 (c) The first Tuesday after the first Monday in April;
- 15 (d) The fourth Tuesday in May;
- 16 (e) The day of the primary election as specified by RCW 29.13.070;
- 17 or
- 18 (f) The first Tuesday after the first Monday in November.

19 In addition to (a) through (f) above, a special election to  
20 validate an excess levy or bond issue may be called at any time to meet  
21 the needs resulting from failure of a school or junior taxing district  
22 to pass a special levy or bond issue for the first time or from fire,  
23 flood, earthquake, or other act of God, except that no special election  
24 may be held between the first day for candidates to file for public  
25 office and the last day to certify the returns of the general election  
26 other than as provided in (e) and (f) of this subsection. Such special  
27 election shall be conducted and notice thereof given in the manner  
28 provided by law.

29 This section shall supersede the provisions of any and all other  
30 statutes, whether general or special in nature, having different dates

1 for such city, town, and district elections, the purpose of this  
2 section being to establish mandatory dates for holding elections.