
HOUSE BILL 2402

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Anderson, McLean, Pruitt, Chandler, O'Brien, Horn, Orr and May

Read first time 01/16/92. Referred to Committee on State Government.

1 AN ACT Relating to special elections; amending RCW 29.13.010 and
2 29.13.020; and declaring an emergency.

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 (1) All state, county, city, town, and district general elections
7 for the election of federal, state, legislative, judicial, county,
8 city, town, district, and precinct officers, and for the submission to
9 the voters of the state, county, city, town, or district of any measure
10 for their adoption and approval or rejection, shall be held on the
11 first Tuesday after the first Monday of November, in the year in which
12 they 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

1 years shall be limited to ~~((+1))~~ (a) city, town, and district general
2 elections as provided for in RCW 29.13.020 ~~((as now or hereafter~~
3 ~~amended))~~, or as otherwise provided by law; ~~((+2))~~ (b) the election of
4 federal officers for the remainder of any unexpired terms in the
5 membership of either branch of the congress of the United States;
6 ~~((+3))~~ (c) the election of state and county officers for the remainder
7 of any unexpired terms of offices created by or whose duties are
8 described in Article II, section 15, Article III, sections 16, 17, 19,
9 20, 21, 22, and 23, and Article IV, sections 3 and 5 of the state
10 Constitution and RCW 2.06.080; ~~((+4))~~ (d) the election of county
11 officers in any county governed by a charter containing provisions
12 calling for general county elections at this time; and ~~((+5))~~ (e) the
13 approval or rejection of state measures, including proposed
14 constitutional amendments, matters pertaining to any proposed
15 constitutional convention, initiative measures and referendum measures
16 proposed by the electorate, referendum bills, and any other matter
17 provided by the legislature for submission to the electorate(~~(+~~
18 ~~PROVIDED FURTHER, That this section shall not be construed as fixing~~
19 ~~the time for holding primary elections, or elections for the recall of~~
20 ~~any elective public officer: PROVIDED HOWEVER, That the~~)).

21 (2) A county legislative authority may, if ~~((they))~~ it deems an
22 emergency to exist, call a special county election by presenting a
23 resolution to the county auditor at least forty-five days prior to the
24 proposed election date. Except as provided in subsection (4) of this
25 section, 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 (3) In addition to the dates set forth in subsection (2)(a) through
5 (f) ((above)) of this section, a special election to validate an excess
6 levy or bond issue may be called at any time to meet the needs
7 resulting from failure of a county to pass a special levy for the first
8 time or from fire, flood, earthquake, or other act of God. Such county
9 special election shall be noticed and conducted in the manner provided
10 by law.

11 (4) In a presidential election year, if a presidential preference
12 primary is conducted in February, March, April, or May under chapter
13 29.19 RCW, the date on which a special election may be called by the
14 county legislative authority under subsection (2) of this section
15 during the month of that primary is the date of the presidential
16 primary.

17 (5) This section shall supersede the provisions of any and all
18 other statutes, whether general or special in nature, having different
19 dates for such city, town, and district elections, the purpose of this
20 section being to establish mandatory dates for holding elections except
21 for those elections held pursuant to a home-rule charter adopted under
22 Article XI, section 4 of the state Constitution. This section shall
23 not be construed as fixing the time for holding primary elections, or
24 elections for the recall of any elective public officer.

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

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

1 This section shall not apply to:

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

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

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

10 (2) The county auditor, as ex officio supervisor of elections, upon
11 request in the form of a resolution of the governing body of a city,
12 town, or district, presented to ~~((him))~~ the auditor at least forty-five
13 days prior to the proposed election date, may, if ~~((he))~~ the county
14 auditor deems an emergency to exist, call a special election in such
15 city, town, or district, and for the purpose of such special election
16 he may combine, unite, or divide precincts. Except as provided in
17 subsection (3) of this section, such a special election ~~((called by~~
18 ~~such governing body))~~ shall be held on one of the following dates as
19 decided by the governing body:

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

21 (b) The second Tuesday in March;

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

23 (d) The ~~((fourth))~~ third Tuesday in May;

24 (e) The day of the primary election as specified by RCW 29.13.070;

25 or

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

27 (3) In a presidential election year, if a presidential preference
28 primary is conducted in February, March, April, or May under chapter
29 29.19 RCW, the date on which a special election may be called under

1 subsection (2) of this section during the month of that primary is the
2 date of the presidential primary.

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

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

18 NEW SECTION. Sec. 3. This act is necessary for the immediate
19 preservation of the public peace, health, or safety, or support of the
20 state government and its existing public institutions, and shall take
21 effect immediately.