
SENATE BILL 6309

State of Washington

52nd Legislature

1992 Regular Session

By Senators McCaslin and Madsen

Read first time 01/24/92. Referred to Committee on Governmental Operations.

1 AN ACT Relating to elections for nonpartisan offices; amending RCW
2 29.30.085; adding a new section to chapter 29.30 RCW; and providing an
3 effective date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 29.30 RCW
6 to read as follows:

7 This section applies if a candidate for an elective office of a
8 city, town, or special purpose district would, under this chapter,
9 otherwise qualify to have his or her name printed on the general
10 election ballot for the office, but the candidate has been declared to
11 be unqualified to hold the office by a court of competent jurisdiction.

12 (1) In a case in which a primary is conducted for the office:

13 (a) If ballots for the general election for the office have not
14 been ordered by the county auditor, the candidate who received the

1 third greatest number of votes for the office at the primary shall
2 qualify as a candidate for general election, if the candidate received
3 at least one percent of the total votes cast for the office at the
4 preceding primary, and that candidate's name shall be printed on the
5 ballot for the office in lieu of the name of the disqualified
6 candidate. If the candidate with the third greatest number of votes
7 did not receive at least one percent of the total votes cast for the
8 office at the preceding primary, then only the name of the qualified
9 candidate with the greatest number of votes for the office at the
10 primary shall be printed on the ballot for the office.

11 (b) If general election ballots for the office have been so
12 ordered, votes cast for the disqualified candidate at the general
13 election for the office shall not be counted for that office.

14 (2) In a case in which a primary is not conducted for the office:

15 (a) If ballots for the general election for the office have not
16 been ordered by the county auditor, the name of the disqualified
17 candidate shall not appear on the general election ballot for the
18 office.

19 (b) If general election ballots for the office have been so
20 ordered, votes cast for the disqualified candidate at the general
21 election for the office shall not be counted for that office.

22 (3) If the disqualified candidate is the only candidate to have
23 filed for the office during a regular or special filing period for the
24 office, a void in candidacy for the office exists.

25 **Sec. 2.** RCW 29.30.085 and 1990 c 59 s 95 are each amended to read
26 as follows:

27 (1) Except as provided (~~under~~) in section 1 of this act and in
28 subsection (2) of this section, on the ballot at the general election
29 for a nonpartisan office for which a primary was held, only the names

1 of the candidate who received the greatest number of votes and the
2 candidate who received the next greatest number of votes for that
3 office shall appear under the title of that office, and the names shall
4 appear in that order. If a primary was conducted, no candidate's name
5 may be printed on the subsequent general election ballot unless he or
6 she receives at least one percent of the total votes cast for that
7 office at the preceding primary. On the ballot at the general election
8 for any other nonpartisan office for which no primary was held, the
9 names of the candidates shall be listed in the order determined under
10 RCW 29.30.025.

11 (2) On the ballot at the general election for the office of justice
12 of the supreme court, judge of the court of appeals, judge of the
13 superior court, or state superintendent of public instruction, if a
14 candidate in a contested primary receives a majority of all the votes
15 cast for that office or position, only the name of that candidate may
16 be printed under the title of the office for that position.

17 NEW SECTION. **Sec. 3.** This act shall take effect July 1, 1992.