
SUBSTITUTE HOUSE BILL 1108

State of Washington

53rd Legislature

1993 Regular Session

By House Committee on State Government (originally sponsored by Representatives Vance, Reams and Anderson)

Read first time 02/22/93.

1 AN ACT Relating to nonpartisan elections; amending RCW 29.15.120,
2 29.15.150, 29.15.160, 29.15.170, 29.15.200, and 29.21.015; and adding
3 a new section to chapter 29.15 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 29.15 RCW
6 to read as follows:

7 If, after the close of the period established by RCW 29.15.020 for
8 filing declarations of candidacy for the office of superintendent of
9 public instruction or the nonpartisan elective office of a county,
10 city, town, or special purpose district, no candidate or only one
11 candidate has filed such a declaration for the nonpartisan office, the
12 closure of the filing period for the office shall be extended. The
13 extended filing period shall close at the end of business on the first
14 Friday following the normal closing of that period under RCW 29.15.020.

15 Declarations and affidavits of candidacy filed during this extended
16 filing period for the office shall be filed in the same manner, with
17 the same fees or petitions, and with the same officer as prescribed for
18 filings made under RCW 29.15.020. The names of candidates who validly
19 file within this extension of the filing period shall appear on the

1 ballot as if the filings had been made during the normal filing period
2 under RCW 29.15.020.

3 The requirements of this section apply to a nonpartisan office of
4 a county unless the provisions of the county's home rule charter
5 provide otherwise. This section does not apply to a judicial office.

6 **Sec. 2.** RCW 29.15.120 and 1990 c 59 s 86 are each amended to read
7 as follows:

8 A candidate may withdraw his or her declaration of candidacy at any
9 time before the close of business on the Thursday following the last
10 day for candidates to file under RCW 29.15.020 by filing, with the
11 officer with whom the declaration of candidacy was filed, a signed
12 request that his or her name not be printed on the ballot. There shall
13 be no withdrawal period for declarations of candidacy filed during
14 extended or special filing periods held under this title. The filing
15 officer may permit the withdrawal of a filing for the office of
16 precinct committee officer at the request of the candidate at any time
17 if no absentee ballots have been issued for that office and the general
18 election ballots for that precinct have not been printed. No filing
19 fee may be refunded to any candidate who withdraws under this section.
20 Notice of the deadline for withdrawal of candidacy and that the filing
21 fee is not refundable shall be given to each candidate at the time he
22 or she files.

23 **Sec. 3.** RCW 29.15.150 and 1973 c 4 s 3 are each amended to read as
24 follows:

25 Whenever it shall be necessary to hold a special election in an
26 odd-numbered year to fill an unexpired term of any office which is
27 scheduled to be voted upon for a full term in an even-numbered year, no
28 September primary election shall be held in the odd-numbered year if,
29 after the last day allowed for candidates to withdraw or after the end
30 of an extended filing period provided by section 1 of this act, either
31 of the following circumstances exist:

32 (1) No more than one candidate of each qualified political party
33 has filed a declaration of candidacy for the same partisan office to be
34 filled; or

35 (2) No more than two candidates have filed a declaration of
36 candidacy for a single nonpartisan office to be filled.

1 In either event, the officer with whom the declarations of
2 candidacy were filed shall immediately notify all candidates concerned
3 and the names of the candidates that would have been printed upon the
4 September primary ballot, but for the provisions of this section, shall
5 be printed as nominees for the positions sought upon the November
6 general election ballot.

7 **Sec. 4.** RCW 29.15.160 and 1975-'76 2nd ex.s. c 120 s 9 are each
8 amended to read as follows:

9 A void in candidacy for a nonpartisan office occurs when an
10 election for such office, except for the short term, has been scheduled
11 and (~~(no valid declaration of candidacy has been filed for the position~~
12 ~~or~~)) all persons filing (~~(such)~~) valid declarations of candidacy for
13 the office have died or been disqualified.

14 **Sec. 5.** RCW 29.15.170 and 1975-'76 2nd ex.s. c 120 s 10 are each
15 amended to read as follows:

16 Filings for a nonpartisan office shall be reopened for a period of
17 three normal business days, such three day period to be fixed by the
18 election officer with whom such declarations of candidacy are filed and
19 notice thereof given by notifying press, radio, and television in the
20 county and by such other means as may now or hereafter be provided by
21 law whenever before the fourth Tuesday prior to a primary:

22 (1) A valid declaration of candidacy has not been filed for a
23 judicial office during the normal filing period for the office;

24 (2) All of the candidates who have filed for a nonpartisan office
25 have withdrawn their candidacies;

26 (3) A void in candidacy occurs;

27 (~~((2))~~) (4) A vacancy occurs in any nonpartisan office leaving an
28 unexpired term to be filled by an election for which filings have not
29 been held; or

30 (~~((3))~~) (5) A nominee for judge of the superior court entitled to
31 a certificate of election pursuant to Article 4, section 29, Amendment
32 41 of the state Constitution, dies or is disqualified.

33 Candidacies validly filed within said three-day period shall appear
34 on the ballot as if made during the earlier filing period.

35 **Sec. 6.** RCW 29.15.200 and 1975-'76 2nd ex.s. c 120 s 13 are each
36 amended to read as follows:

1 If, after ~~((both))~~ the normal filing period ~~((and))~~ for which an
2 extension of the filing period is not required by section 1 of this
3 act, after such an extended filing period, or after a special three day
4 filing period as provided by RCW 29.15.170 and 29.15.180~~((, as now or~~
5 ~~hereafter amended, have passed and still))~~, no candidate has filed for
6 any single city, town, or district position to be filled, the election
7 for such position shall be deemed lapsed, the office deemed stricken
8 from the ballot and no write-in votes counted. In such instance, the
9 incumbent occupying such position shall remain in office and continue
10 to serve until his or her successor is elected at the next election
11 when such positions are voted upon as provided by RCW 29.21.410~~((, as~~
12 ~~now or hereafter amended))~~.

13 **Sec. 7.** RCW 29.21.015 and 1990 c 59 s 90 are each amended to read
14 as follows:

15 No primary may be held for any single position in any city, town,
16 or district, as required by RCW 29.21.010, if, after the last day
17 allowed for candidates to withdraw or after the end of an extended or
18 special filing period, there are no more than two candidates filed for
19 the position. The county auditor shall, as soon as possible, notify
20 all the candidates so affected that the office for which they filed
21 will not appear on the primary ballot. Names of candidates so notified
22 shall be printed upon the general election ballot in the manner
23 specified by RCW 29.30.025.

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