SENATE BILL 5090

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1   AN ACT Relating to the presidential preference primary; amending
2 RCW 29.13.010, 29.13.020, and 29.18.200; and repealing RCW 29.19.010,
3 29.19.020, 29.19.030, 29.19.040, 29.19.050, 29.19.060, 29.19.070,
4 29.19.080, and 29.19.900.

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

6   NEW SECTION. **Sec. 1.** The following acts or parts of acts are each
7 repealed:
8   (1) RCW 29.19.010 and 1989 c 4 s 1;
9   (2) RCW 29.19.020 and 1989 c 4 s 2;
10   (3) RCW 29.19.030 and 1989 c 4 s 3;
11   (4) RCW 29.19.040 and 1989 c 4 s 4;
12   (5) RCW 29.19.050 and 1989 c 4 s 5;
13   (6) RCW 29.19.060 and 1989 c 4 s 6;
14   (7) RCW 29.19.070 and 1989 c 4 s 7;
15   (8) RCW 29.19.080 and 1989 c 4 s 8; and
16   (9) RCW 29.19.900 and 1989 c 4 s 12.

17   **Sec. 2.** RCW 29.13.010 and 1992 c 37 s 1 are each amended to read
18 as follows:

1   (1) All state, county, city, town, and district general elections
 2   for the election of federal, state, legislative, judicial, county,
 3   city, town, district, and precinct officers, and for the submission to
 4   the voters of the state, county, city, town, or district of any measure
 5   for their adoption and approval or rejection, shall be held on the
 6   first Tuesday after the first Monday of November, in the year in which
 7   they may be called. A state-wide general election shall be held on the
 8   first Tuesday after the first Monday of November of each year:
 9   PROVIDED, That the state-wide general election held in odd-numbered
10   years shall be limited to (a) city, town, and district general
11   elections as provided for in RCW 29.13.020, or as otherwise provided by
12   law; (b) the election of federal officers for the remainder of any
13   unexpired terms in the membership of either branch of the congress of
14   the United States; (c) the election of state and county officers for
15   the remainder of any unexpired terms of offices created by or whose
16   duties are described in Article II, section 15, Article III, sections
17   16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3 and 5 of the
18   state Constitution and RCW 2.06.080; (d) the election of county
19   officers in any county governed by a charter containing provisions
20   calling for general county elections at this time; and (e) the approval
21   or rejection of state measures, including proposed constitutional
22   amendments, matters pertaining to any proposed constitutional
23   convention, initiative measures and referendum measures proposed by the
24   electorate, referendum bills, and any other matter provided by the
25   legislature for submission to the electorate.
26   (2) A county legislative authority may, if it deems an emergency to
27   exist, call a special county election by presenting a resolution to the
28   county auditor at least forty-five days prior to the proposed election
29   date. ((Except as provided in subsection (4) of this section,)) A
30   special election called by the county legislative authority shall be
31   held on one of the following dates as decided by such governing body:
32   (a) The first Tuesday after the first Monday in February;
33   (b) The second Tuesday in March;
34   (c) The first Tuesday after the first Monday in April;
35   (d) The third Tuesday in May;
36   (e) The day of the primary as specified by RCW 29.13.070; or
37   (f) The first Tuesday after the first Monday in November.
38   (3) In addition to the dates set forth in subsection (2)(a)
39   through (f) of this section, a special election to validate an excess

1 levy or bond issue may be called at any time to meet the needs
2 resulting from failure of a county to pass a special levy for the first
3 time or from fire, flood, earthquake, or other act of God. Such county
4 special election shall be noticed and conducted in the manner provided
5 by law.
6   (4) ((In a presidential election year, if a presidential preference
7 primary is conducted in February, March, April, or May under chapter
8 29.19 RCW, the date on which a special election may be called by the
9 county legislative authority under subsection (2) of this section
10 during the month of that primary is the date of the presidential
11 primary.
12   (5))) This section shall supersede the provisions of any and all
13 other statutes, whether general or special in nature, having different
14 dates for such city, town, and district elections, the purpose of this
15 section being to establish mandatory dates for holding elections except
16 for those elections held pursuant to a home-rule charter adopted under
17 Article XI, section 4 of the state Constitution. This section shall
18 not be construed as fixing the time for holding primary elections, or
19 elections for the recall of any elective public officer.

20   **Sec. 3.** RCW 29.13.020 and 1992 c 37 s 2 are each amended to read
21 as follows:
22   (1) All city, town, and district general elections shall be held
23 throughout the state of Washington on the first Tuesday following the
24 first Monday in November in the odd-numbered years.
25   This section shall not apply to:
26   (a) Elections for the recall of any elective public officer;
27   (b) Public utility districts or district elections at which the
28 ownership of property within those districts is a prerequisite to
29 voting, all of which elections shall be held at the times prescribed in
30 the laws specifically applicable thereto;
31   (c) Consolidation proposals as provided for in RCW 28A.315.280 and
32 nonhigh capital fund aid proposals as provided for in chapter 28A.540
33 RCW.
34   (2) The county auditor, as ex officio supervisor of elections, upon
35 request in the form of a resolution of the governing body of a city,
36 town, or district, presented to the auditor at least forty-five days
37 prior to the proposed election date, may, if the county auditor deems
38 an emergency to exist, call a special election in such city, town, or

1 district, and for the purpose of such special election he or she may
2 combine, unite, or divide precincts. ((Except as provided in
3 subsection (3) of this section,)) Such a special election shall be held
4 on one of the following dates as decided by the governing body:
5   (a) The first Tuesday after the first Monday in February;
6   (b) The second Tuesday in March;
7   (c) The first Tuesday after the first Monday in April;
8   (d) The third Tuesday in May;
9   (e) The day of the primary election as specified by RCW 29.13.070;
10 or
11   (f) The first Tuesday after the first Monday in November.
12   (3) ((In a presidential election year, if a presidential preference
13 primary is conducted in February, March, April, or May under chapter
14 29.19 RCW, the date on which a special election may be called under
15 subsection (2) of this section during the month of that primary is the
16 date of the presidential primary.
17   (4))) In addition to subsection (2) (a) through (f) of this
18 section, a special election to validate an excess levy or bond issue
19 may be called at any time to meet the needs resulting from failure of
20 a school or junior taxing district to pass a special levy or bond issue
21 for the first time or from fire, flood, earthquake, or other act of
22 God, except that no special election may be held between the first day
23 for candidates to file for public office and the last day to certify
24 the returns of the general election other than as provided in
25 subsection (2) (e) and (f) of this section. Such special election
26 shall be conducted and notice thereof given in the manner provided by
27 law.
28   (((5))) (4) This section shall supersede the provisions of any and
29 all other statutes, whether general or special in nature, having
30 different dates for such city, town, and district elections, the
31 purpose of this section being to establish mandatory dates for holding
32 elections.

33   **Sec. 4.** RCW 29.18.200 and 1990 c 59 s 88 are each amended to read
34 as follows:
35   ((Except as provided otherwise in chapter 29.19 RCW,)) All properly
36 registered voters may vote for their choice at any primary held under
37 this title, for any candidate for each office, regardless of political

1 affiliation and without a declaration of political faith or adherence
2 on the part of the voter.

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