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SENATE BILL 6061

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State of Washington

53rd Legislature

1994 Regular Session

By Senators Vognild, Winsley, Haugen and Sellar

Read first time 01/10/94. Referred to Committee on Government Operations.

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

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

4 **Sec. 1.** RCW 29.13.010 and 1992 c 37 s 1 are each amended to read  
5 as 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  
15 years shall be limited to (a) city, town, and district general  
16 elections as provided for in RCW 29.13.020, or as otherwise provided by  
17 law; (b) the election of federal officers for the remainder of any  
18 unexpired terms in the membership of either branch of the congress of  
19 the United States; (c) the election of state and county officers for

1 the remainder of any unexpired terms of offices created by or whose  
2 duties are described in Article II, section 15, Article III, sections  
3 16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3 and 5 of the  
4 state Constitution and RCW 2.06.080; (d) the election of county  
5 officers in any county governed by a charter containing provisions  
6 calling for general county elections at this time; and (e) the approval  
7 or rejection of state measures, including proposed constitutional  
8 amendments, matters pertaining to any proposed constitutional  
9 convention, initiative measures and referendum measures proposed by the  
10 electorate, referendum bills, and any other matter provided by the  
11 legislature for submission to the electorate.

12 (2) A county legislative authority may, if it deems an emergency to  
13 exist, call a special county election by presenting a resolution to the  
14 county auditor at least forty-five days prior to the proposed election  
15 date. Except as provided in subsection (4) of this section, a special  
16 election called by the county legislative authority shall be held on  
17 one of the following dates as decided by such governing body:

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

19 (b) The second Tuesday in March;

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

21 (d) The third Tuesday in May;

22 (e) The day of the primary as specified by RCW 29.13.070; or

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

24 (3) In addition to the dates set forth in subsection (2) (a)  
25 through (f) of this section, a special election to validate an excess  
26 levy or bond issue may be called at any time to meet the needs  
27 resulting from (~~failure of a county to pass a special levy for the~~  
28 ~~first time or from~~) fire, flood, earthquake, or other act of God.  
29 Such county special election shall be noticed and conducted in the  
30 manner provided by law.

31 (4) In a presidential election year, if a presidential preference  
32 primary is conducted in February, March, April, or May under chapter  
33 29.19 RCW, the date on which a special election may be called by the  
34 county legislative authority under subsection (2) of this section  
35 during the month of that primary is the date of the presidential  
36 primary.

37 (5) This section shall supersede the provisions of any and all  
38 other statutes, whether general or special in nature, having different  
39 dates for such city, town, and district elections, the purpose of this

1 section being to establish mandatory dates for holding elections except  
2 for those elections held pursuant to a home-rule charter adopted under  
3 Article XI, section 4 of the state Constitution. This section shall  
4 not be construed as fixing the time for holding primary elections, or  
5 elections for the recall of any elective public officer.

6 **Sec. 2.** RCW 29.13.020 and 1992 c 37 s 2 are each amended to read  
7 as follows:

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

11 This section shall not apply to:

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

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

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

20 (2) The county auditor, as ex officio supervisor of elections, upon  
21 request in the form of a resolution of the governing body of a city,  
22 town, or district, presented to the auditor at least forty-five days  
23 prior to the proposed election date, may, if the county auditor deems  
24 an emergency to exist, call a special election in such city, town, or  
25 district, and for the purpose of such special election he or she may  
26 combine, unite, or divide precincts. Except as provided in subsection  
27 (3) of this section, such a special election shall be held on one of  
28 the following dates as decided by the governing body:

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

30 (b) The second Tuesday in March;

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

32 (d) The third Tuesday in May;

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

34 or

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

36 (3) In a presidential election year, if a presidential preference  
37 primary is conducted in February, March, April, or May under chapter  
38 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) of this section,  
4 a special election to validate an excess levy or bond issue may be  
5 called at any time to meet the needs resulting from ~~((failure of a  
6 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 section. Such special election  
12 shall be conducted and notice thereof given in the manner provided by  
13 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.

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