

2 SHB 2118 - S COMM AMD

3 By Committee on Government Operations

4

5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 29.13.010 and 1994 c 142 s 1 are each amended to read  
8 as follows:

9 (1) All state, county, city, town, and district general elections  
10 for the election of federal, state, legislative, judicial, county,  
11 city, town, district, and precinct officers, and for the submission to  
12 the voters of the state, county, city, town, or district of any measure  
13 for their adoption and approval or rejection, shall be held on the  
14 first Tuesday after the first Monday of November, in the year in which  
15 they may be called. A state-wide general election shall be held on the  
16 first Tuesday after the first Monday of November of each year:  
17 PROVIDED, That the state-wide general election held in odd-numbered  
18 years shall be limited to (a) city, town, and district general  
19 elections as provided for in RCW 29.13.020, or as otherwise provided by  
20 law; (b) the election of federal officers for the remainder of any  
21 unexpired terms in the membership of either branch of the congress of  
22 the United States; (c) the election of state and county officers for  
23 the remainder of any unexpired terms of offices created by or whose  
24 duties are described in Article II, section 15, Article III, sections  
25 16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3 and 5 of the  
26 state Constitution and RCW 2.06.080; (d) the election of county  
27 officers in any county governed by a charter containing provisions  
28 calling for general county elections at this time; and (e) the approval  
29 or rejection of state measures, including proposed constitutional  
30 amendments, matters pertaining to any proposed constitutional  
31 convention, initiative measures and referendum measures proposed by the  
32 electorate, referendum bills, and any other matter provided by the  
33 legislature for submission to the electorate.

34 (2) A county legislative authority may(~~(, if it deems an emergency~~  
35 ~~to exist,)) call a special county election by presenting a resolution  
36 to the county auditor at least forty-five days prior to the proposed~~

1 election date. Except as provided in subsection (4) of this section,  
2 a special election called by the county legislative authority shall be  
3 held on one of the following dates as decided by such governing body:

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

5 (b) The second Tuesday in March;

6 (c) The fourth Tuesday in April;

7 (d) The third Tuesday in May;

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

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

10 (3) In addition to the dates set forth in subsection (2) (a)  
11 through (f) of this section, a special election to validate an excess  
12 levy or bond issue may be called at any time to meet the needs  
13 resulting from fire, flood, earthquake, or other act of God. Such  
14 county special election shall be noticed and conducted in the manner  
15 provided by law.

16 (4) In a presidential election year, if a presidential preference  
17 primary is conducted in February, March, April, or May under chapter  
18 29.19 RCW, the date on which a special election may be called by the  
19 county legislative authority under subsection (2) of this section  
20 during the month of that primary is the date of the presidential  
21 primary.

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

30 **Sec. 2.** RCW 29.13.020 and 1994 c 142 s 2 are each amended to read  
31 as follows:

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

35 This section shall not apply to:

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

37 (b) Public utility districts or district elections at which the  
38 ownership of property within those districts is a prerequisite to

1 voting, all of which elections shall be held at the times prescribed in  
2 the laws specifically applicable thereto;

3 (c) Consolidation proposals as provided for in RCW 28A.315.280 and  
4 nonhigh capital fund aid proposals as provided for in chapter 28A.540  
5 RCW.

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

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

16 (b) The second Tuesday in March;

17 (c) The fourth Tuesday in April;

18 (d) The third Tuesday in May;

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

20 or

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

22 (3) In a presidential election year, if a presidential preference  
23 primary is conducted in February, March, April, or May under chapter  
24 29.19 RCW, the date on which a special election may be called under  
25 subsection (2) of this section during the month of that primary is the  
26 date of the presidential primary.

27 (4) In addition to subsection (2) (a) through (f) of this section,  
28 a special election to validate an excess levy or bond issue may be  
29 called at any time to meet the needs resulting from fire, flood,  
30 earthquake, or other act of God, except that no special election may be  
31 held between the first day for candidates to file for public office and  
32 the last day to certify the returns of the general election other than  
33 as provided in subsection (2) (e) and (f) of this section. Such  
34 special election shall be conducted and notice thereof given in the  
35 manner provided by law.

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

1       **Sec. 3.** RCW 29.15.120 and 1994 c 223 s 6 are each amended to read  
2 as follows:

3       A candidate may withdraw his or her declaration of candidacy at any  
4 time before the close of business on the Thursday following the last  
5 day for candidates to file under RCW 29.15.020 by filing, with the  
6 officer with whom the declaration of candidacy was filed, a signed  
7 request that his or her name not be printed on the ballot. There shall  
8 be no withdrawal period for declarations of candidacy filed during  
9 special filing periods held under this title. The filing officer may  
10 permit the withdrawal of a filing for the office of precinct committee  
11 officer at the request of the candidate at any time if no absentee  
12 ballots have been issued for that office and the general election  
13 ballots for that precinct have not been printed. The filing officer  
14 may permit the withdrawal of a filing for any elected office of a city,  
15 town, or special district at the request of the candidate at any time  
16 before a primary if the primary ballots for that city, town, or special  
17 district have not been ordered. For city, town, and special district  
18 contests where no primary is required, the filing officer may permit  
19 the withdrawal of a filing at any time before an election if the  
20 election ballots for that city, town, or special district have not been  
21 ordered. If, as a result of a withdrawal of a filing, no candidate's  
22 name will appear on the ballot for a particular position, the election  
23 for such position shall be deemed lapsed, the office shall be deemed  
24 stricken from the ballot, and no write-in votes shall be counted. In  
25 such instance, the incumbent occupying such position shall remain in  
26 office and continue to serve until a successor is elected at the next  
27 election when the position is voted upon. No filing fee may be  
28 refunded to any candidate who withdraws under this section. Notice of  
29 the deadline for withdrawal of candidacy and that the filing fee is not  
30 refundable shall be given to each candidate at the time he or she  
31 files.

32       **Sec. 4.** RCW 29.30.101 and 1990 c 59 s 14 are each amended to read  
33 as follows:

34       The names of the persons certified as nominees by the secretary of  
35 state or the county canvassing board shall be printed on the ballot at  
36 the ensuing election.

37       No name of any candidate whose nomination at a primary is required  
38 by law shall be placed upon the ballot at a general or special election

1 unless it appears upon the certificate of either (1) the secretary of  
2 state, or (2) the county canvassing board, or (3) a minor party  
3 convention or the state or county central committee of a major  
4 political party to fill a vacancy on its ticket under RCW 29.18.160.

5 Excluding the office of precinct committee officer, or any  
6 temporary elected position such as charter review board or freeholder,  
7 a candidate's name shall not appear more than once upon a ballot for  
8 any position regularly nominated or elected at the same election.

9 **Sec. 5.** RCW 29.36.013 and 1993 c 418 s 1 are each amended to read  
10 as follows:

11 Any voter may apply, in writing, for status as an ongoing absentee  
12 voter. Each qualified applicant shall automatically receive an  
13 absentee ballot for each ensuing election for which he or she is  
14 entitled to vote and need not submit a separate request for each  
15 election. Ballots received from ongoing absentee voters shall be  
16 validated, processed, and tabulated in the same manner as other  
17 absentee ballots.

18 Status as an ongoing absentee voter shall be terminated upon any of  
19 the following events:

- 20 (1) The written request of the voter;  
21 (2) The death or disqualification of the voter;  
22 (3) The cancellation of the voter's registration record; ~~((or))~~  
23 (4) The return of an ongoing absentee ballot as undeliverable; or  
24 (5) Upon placing a voter on inactive status under RCW 29.10.071.

25 **Sec. 6.** RCW 85.38.110 and 1991 c 349 s 13 are each amended to read  
26 as follows:

27 A list of presumed eligible voters shall be prepared and maintained  
28 by each special district. The list shall include the assessor's tax  
29 number for each lot or parcel in the district, the name or the names of  
30 the owners of such lots and parcels and their mailing address, the  
31 extent of the ownership interest of such persons, and if such persons  
32 are natural persons, whether they are known to be registered voters in  
33 the state of Washington. Whenever such a list is prepared, the  
34 district shall attempt to notify each owner of the requirements  
35 necessary to establish voting authority to vote. Whenever lots or  
36 parcels in the district are sold, the district shall attempt to notify  
37 the purchasers of the requirements necessary to establish voting

1 authority. Each special district shall provide a copy of this list,  
2 and any revised list, to the auditor of the county within which all or  
3 the largest portion of the special district is located. The special  
4 district must compile the list of eligible voters and provide it to the  
5 county auditor by the first day of November preceding the special  
6 district general election. In the event the special district does not  
7 provide the county auditor with the list of qualified voters by this  
8 date, the county auditor shall compile the list and charge the special  
9 district for the costs required for its preparation. ((The county  
10 auditor shall not be held responsible for any errors in the list.))"

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14 On page 1, line 1 of the title, after "procedures;" strike the  
15 remainder of the title and insert "and amending RCW 29.13.010,  
16 29.13.020, 29.15.120, 29.30.101, 29.36.013, and 85.38.110."

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