ADOPTED 02/19/2008

1   Strike   everything   after   the   enacting   clause   and   insert   the
2   following:

3   "**Sec. 1.**   RCW 29A.04.321 and 2006 c 344 s 2 are each amended to
4   read as follows:
5   (1) All state, county, city, town, and district general elections
6   for the election of federal, state, legislative, judicial, county,
7   city, town, and district officers, and for the submission to the voters
8   of the state, county, city, town, or district of any measure for their
9   adoption and approval or rejection, shall be held on the first Tuesday
10   after the first Monday of November, in the year in which they may be
11   called.   A statewide general election shall be held on the first
12   Tuesday after the first Monday of November of each year.   However, the
13   statewide general election held in odd-numbered years shall be limited
14   to (a) city, town, and district general elections as provided for in
15   RCW 29A.04.330, or as otherwise provided by law; (b) the election of
16   federal officers for the remainder of any unexpired terms in the
17   membership of either branch of the Congress of the United States; (c)
18   the election of state and county officers for the remainder of any
19   unexpired terms of offices created by or whose duties are described in
20   Article II, section 15, Article III, sections 16, 17, 19, 20, 21, 22,
21   and 23, and Article IV, sections 3 and 5 of the state Constitution and
22   RCW 2.06.080; (d) the election of county officers in any county
23   governed by a charter containing provisions calling for general county
24   elections at this time; and (e) the approval or rejection of state
25   measures, including proposed constitutional amendments, matters
26   pertaining to any proposed constitutional convention, initiative
27   measures and referendum measures proposed by the electorate, referendum
28   bills, and any other matter provided by the legislature for submission
29   to the electorate.

1   (2) A county legislative authority may call a special county
 2 election by presenting a resolution to the county auditor prior to the
 3 proposed election date. ((Except as provided in subsection (4) of this
 4 section,)) A special election called by the county legislative
 5 authority shall be held on one of the following dates as decided by
 6 such governing body:
 7   (a) The ((first)) second Tuesday ((after the first Monday)) in
 8 February;
 9   (b) ((The second Tuesday in March;
10   (c))) The fourth Tuesday in April;
11   (((d) The third Tuesday in May;
12   (e))) (c) The day of the primary as specified by RCW 29A.04.311; or
13   (((f))) (d) The first Tuesday after the first Monday in November.
14   (3) A resolution calling for a special election on a date set forth
15 in subsection (2)(a) ((through (d))) and (b) of this section must be
16 presented to the county auditor at least ((fifty-two)) forty-five days
17 prior to the election date. A resolution calling for a special
18 election on a date set forth in subsection (2)(((e))) (c) or (((f)))
19 (d) of this section must be presented to the county auditor at least
20 eighty-four days prior to the election date.
21   (4) In addition to the dates set forth in subsection (2)(a) through
22 (((f))) (d) of this section, a special election to validate an excess
23 levy or bond issue may be called at any time to meet the needs
24 resulting from fire, flood, earthquake, or other act of God. Such
25 county special election shall be noticed and conducted in the manner
26 provided by law.
27   (5) ((In a presidential election year, if a presidential preference
28 primary is conducted in February, March, April, or May under chapter
29 29A.56 RCW, the date on which a special election may be called by the
30 county legislative authority under subsection (2) of this section
31 during the month of that primary is the date of the presidential
32 primary.
33   (6))) This section shall supersede the provisions of any and all
34 other statutes, whether general or special in nature, having different
35 dates for such city, town, and district elections, the purpose of this
36 section being to establish mandatory dates for holding elections except
37 for those elections held pursuant to a home-rule charter adopted under

1 Article XI, section 4 of the state Constitution. This section shall
2 not be construed as fixing the time for holding primary elections, or
3 elections for the recall of any elective public officer.

4   **Sec. 2.** RCW 29A.04.330 and 2006 c 344 s 3 are each amended to read
5 as follows:
6   (1) All city, town, and district general elections shall be held
7 throughout the state of Washington on the first Tuesday following the
8 first Monday in November in the odd-numbered years.
9   This section shall not apply to:
10   (a) Elections for the recall of any elective public officer;
11   (b) Public utility districts, conservation districts, or district
12 elections at which the ownership of property within those districts is
13 a prerequisite to voting, all of which elections shall be held at the
14 times prescribed in the laws specifically applicable thereto;
15   (c) Consolidation proposals as provided for in RCW 28A.315.235 and
16 nonhigh capital fund aid proposals as provided for in chapter 28A.540
17 RCW.
18   (2) The county auditor, as ex officio supervisor of elections, upon
19 request in the form of a resolution of the governing body of a city,
20 town, or district, presented to the auditor prior to the proposed
21 election date, may call a special election in such city, town, or
22 district, and for the purpose of such special election he or she may
23 combine, unite, or divide precincts.   ((Except as provided in
24 subsection (3) of this section,)) Such a special election shall be held
25 on one of the following dates as decided by the governing body:
26   (a) The ((first)) second Tuesday ((after the first Monday)) in
27 February;
28   (b) ((The second Tuesday in March;
29   (c))) The fourth Tuesday in April;
30   (((d) The third Tuesday in May;
31   (e))) (c) The day of the primary election as specified by RCW
32 29A.04.311; or
33   (((f))) (d) The first Tuesday after the first Monday in November.
34   (3) A resolution calling for a special election on a date set forth
35 in subsection (2)(a) ((through (d))) and (b) of this section must be
36 presented to the county auditor at least ((fifty-two)) forty-five days
37 prior to the election date. A resolution calling for a special

1 election on a date set forth in subsection (2)((~~(e)~~)) <u>(c)</u> or ((~~(f)~~))
2 <u>(d)</u> of this section must be presented to the county auditor at least
3 eighty-four days prior to the election date.

4   (4) ((~~In a presidential election year, if a presidential preference~~
5 ~~primary is conducted in February, March, April, or May under chapter~~
6 ~~29A.56 RCW, the date on which a special election may be called under~~
7 ~~subsection (2) of this section during the month of that primary is the~~
8 ~~date of the presidential primary.~~

9   ~~(5)~~)) In addition to subsection (2)(a) through ((~~(f)~~)) <u>(d)</u> of this
10 section, a special election to validate an excess levy or bond issue
11 may be called at any time to meet the needs resulting from fire, flood,
12 earthquake, or other act of God, except that no special election may be
13 held between the first day for candidates to file for public office and
14 the last day to certify the returns of the general election other than
15 as provided in subsection (2)((~~(e)~~)) <u>(c)</u> and ((~~(f)~~)) <u>(d)</u> of this
16 section. Such special election shall be conducted and notice thereof
17 given in the manner provided by law.

18   (((~~(6)~~)) <u>(5)</u> This section shall supersede the provisions of any and
19 all other statutes, whether general or special in nature, having
20 different dates for such city, town, and district elections, the
21 purpose of this section being to establish mandatory dates for holding
22 elections."

2SSB 5271 - S AMD
     By Senator Pridemore

ADOPTED 02/19/2008

23   On page 1, line 2 of the title, after "held;" strike the remainder
24 of the title and insert "amending RCW 29A.04.321 and 29A.04.330; and
25 providing an effective date."

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