

SENATE BILL REPORT

HB 2152

As Reported By Senate Committee On:
Government Operations & Elections, March 27, 2007

Title: An act relating to election certification dates.

Brief Description: Regarding election certification.

Sponsors: Representatives Appleton, Seaquist, Rolfes, Haigh, Eickmeyer, Lantz and Ormsby.

Brief History: Passed House: 3/12/07, 97-1.

Committee Activity: Government Operations & Elections: 3/27/07 [DP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach, Ranking Minority Member; Kline and Swecker.

Staff: Amy Van Horn (786-7784)

Background: Within 21 days of a general election, a County Canvassing Board must complete the canvass and certify the election results. The county auditor must then notify the elected person and issue that person a certificate of election.

Registered voters may contest the right of a person who is declared elected to be issued a certificate of election. Among other reasons, a voter may contest the election if he or she believes that an error or omission has occurred or is about to occur in the issuance of a certificate of election. To contest an election, a voter must submit an affidavit to the appropriate court within 10 days of official certification. If an election is set aside by a superior court and not appealed within 10 days, the election certificate issued is rendered void.

Summary of Bill: Immediately after certifying the result of a county election, the county auditor must notify the person elected to office and issue that person a ceremonial certificate of election.

Registered voters may challenge the right of a candidate to assume office for a variety of reasons. One reason is if the voter believes that an error or omission has occurred or is about to occur in the official certification of the election. To contest an election, a voter must submit an affidavit to the appropriate court within 10 days of the official certification of the

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election. If an election is set aside by a superior court and not appealed within 10 days, the election of the challenged person is rendered void.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is a housekeeping bill to clean up some arcane language in the code and make the law more clear. Certificates of election are issued when the county staff has time to issue them, but people are elected when the election results are certified. This way there will be one less thing to argue about in the aftermath of an election.

Persons Testifying: PRO: Suzanne Sinclair, Island County Auditor.