

HOUSE BILL REPORT

SSB 6688

As Reported by House Committee On:
State Government & Tribal Affairs

Title: An act relating to filling vacancies in nonpartisan local elective office.

Brief Description: Concerning filling vacancies in nonpartisan elective office.

Sponsors: Senate Committee on Government Operations & Elections (originally sponsored by Senators Fairley and Shin).

Brief History:

Committee Activity:

State Government & Tribal Affairs: 2/19/10 [DPA].

**Brief Summary of Substitute Bill
(As Amended by House)**

- Provides for appointments to fill vacancies in nonpartisan county elective office.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: Do pass as amended. Signed by 5 members: Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Flannigan and Miloscia.

Minority Report: Do not pass. Signed by 2 members: Representatives Alexander and Taylor.

Staff: Tracey O'Brien (786-7196).

Background:

If a partisan county office is vacated, the county legislative body must appoint a qualified person to serve until the successor is elected at the next general election. If the office vacated after the general election in the year that the position appears on the ballot and before the

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commencement of the next term, the successor may take office immediately after the election results are certified.

A number of counties have reclassified certain countywide elective offices as nonpartisan. There is no mechanism in the state Constitution or in statute that governs the filling of a vacancy in a nonpartisan office.

Summary of Amended Bill:

If a vacancy occurs in a nonpartisan county board of commissioners elective office or a nonpartisan county council elective office, the person appointed to fill the vacancy must be from the same legislative district, county, or county commissioner or council district as the county elective officer whose office was vacated. In addition, the person must be one of three persons who are nominated by the nonpartisan executive or nonpartisan chair of the board of commissioners for the county. If a majority of the members of the county legislative authority cannot agree upon the appointment within 60 days after the vacancy occurs, the Governor must appoint someone from the list of three nominees within 30 days.

If the vacancy occurs after the general election in a year that the position appears on the ballot and before the commencement of the new term, the term of the successor may commence once he or she has been certified and administered the oath of office. He or she shall serve the full term.

Amended Bill Compared to Substitute Bill:

The amended bill allows 60 days, instead of 30 days, for a legislative authority to agree upon an appointment before the Governor becomes involved. The Governor then has 30 days, not 15 days, to make an appointment.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.