

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6688

Chapter 207, Laws of 2010

61st Legislature
2010 Regular Session

NONPARTISAN COUNTY ELECTIVE OFFICES--FILLING OF VACANCIES

EFFECTIVE DATE: 06/10/10

Passed by the Senate March 9, 2010
YEAS 36 NAYS 11

BRAD OWEN

President of the Senate

Passed by the House February 28, 2010
YEAS 56 NAYS 40

FRANK CHOPP

Speaker of the House of Representatives

Approved March 25, 2010, 3:36 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6688** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

March 26, 2010

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6688

AS AMENDED BY THE HOUSE

Passed Legislature - 2010 Regular Session

State of Washington 61st Legislature 2010 Regular Session

By Senate Government Operations & Elections (originally sponsored by
Senators Fairley and Shin)

READ FIRST TIME 02/04/10.

1 AN ACT Relating to filling vacancies in nonpartisan local elective
2 office; amending RCW 36.16.110; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that a number of
5 counties have moved to designate certain countywide elective offices as
6 nonpartisan. Because the creation of these nonpartisan offices is a
7 relatively new occurrence, there is not a mechanism in the state
8 Constitution or statutory laws to fill vacancies in these offices. The
9 legislature also finds that many local governments have not created a
10 mechanism for expediently filling the vacancies. The legislature
11 further finds the following: Political representation is an important
12 and fundamental aspect of elective government; vacancies in elective
13 office effectively disenfranchise portions of the state's citizenry;
14 vacancies in elective office can hamper or completely stall the
15 efficient administration of all aspects of governance, including the
16 appointment of inferior office holders responsible for the
17 administration of health, public safety, and a myriad of social
18 services; and that all of these governing functions represent public
19 policy considerations of broad concern. Therefore, it is the

1 responsibility and intent of the legislature to provide a mechanism for
2 filling vacancies in these offices that is in keeping with the state
3 Constitution and current statute.

4 **Sec. 2.** RCW 36.16.110 and 2003 c 238 s 1 are each amended to read
5 as follows:

6 (1) The county legislative authority in each county shall, at its
7 next regular or special meeting after being appraised of any vacancy in
8 any county, township, precinct, or road district office of the county,
9 fill the vacancy by the appointment of some person qualified to hold
10 such office, and the officers thus appointed shall hold office until
11 the next general election, and until their successors are elected and
12 qualified.

13 (2) If a vacancy occurs in a partisan county office after the
14 general election in a year that the position appears on the ballot and
15 before the start of the next term, the term of the successor who is of
16 the same party as the incumbent may commence once he or she has
17 qualified as defined in RCW ((29.01.135)) 29A.04.133 and shall continue
18 through the term for which he or she was elected.

19 (3) If a vacancy occurs in a nonpartisan county board of
20 commissioners elective office or nonpartisan county council elective
21 office, the person appointed to fill the vacancy must be from the same
22 legislative district, county, or county commissioner or council
23 district as the county elective officer whose office was vacated, and
24 must be one of three persons who must be nominated by the nonpartisan
25 executive or nonpartisan chair of the board of commissioners for the
26 county. In case a majority of the members of the county legislative
27 authority do not agree upon the appointment within sixty days after the
28 vacancy occurs, the governor shall within thirty days thereafter, and
29 from the list of nominees provided for in this section, appoint someone
30 to fill the vacancy.

31 (4) If a vacancy occurs in a nonpartisan county board of
32 commissioners elective office or nonpartisan county council elective
33 office after the general election in a year that the position appears
34 on the ballot and before the start of the next term, the term of the
35 successor may commence once he or she has qualified as defined in RCW

1 29A.04.133 and shall continue through the term for which he or she was
2 elected.

Passed by the Senate March 9, 2010.

Passed by the House February 28, 2010.

Approved by the Governor March 25, 2010.

Filed in Office of Secretary of State March 26, 2010.