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HOUSE BILL 2083

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State of Washington

65th Legislature

2017 Regular Session

By Representative Hudgins

Read first time 02/13/17. Referred to Committee on State Govt,  
Elections & IT.

1 AN ACT Relating to limiting the dates for holding special  
2 elections; and amending RCW 29A.04.321, 29A.04.330, and 29A.60.190.

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

4 **Sec. 1.** RCW 29A.04.321 and 2015 c 146 s 1 are each amended to  
5 read as follows:

6 (1) All state, county, city, town, and district general elections  
7 for the election of federal, state, legislative, judicial, county,  
8 city, town, and district officers, and for the submission to the  
9 voters of the state, county, city, town, or district of any measure  
10 for their adoption and approval or rejection, shall be held on the  
11 first Tuesday after the first Monday of November, in the year in  
12 which they may be called. A statewide general election shall be held  
13 on the first Tuesday after the first Monday of November of each year.  
14 However, the statewide general election held in odd-numbered years  
15 shall be limited to (a) city, town, and district general elections as  
16 provided for in RCW 29A.04.330, or as otherwise provided by law; (b)  
17 the election of federal officers for the remainder of any unexpired  
18 terms in the membership of either branch of the Congress of the  
19 United States; (c) the election of state and county officers for the  
20 remainder of any unexpired terms of offices created by or whose  
21 duties are described in Article II, section 15, Article III, sections

1 16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3 and 5 of  
2 the state Constitution and RCW 2.06.080; (d) the election of county  
3 officers in any county governed by a charter containing provisions  
4 calling for general county elections at this time; and (e) the  
5 approval or rejection of state measures, including proposed  
6 constitutional amendments, matters pertaining to any proposed  
7 constitutional convention, initiative measures and referendum  
8 measures proposed by the electorate, referendum bills, and any other  
9 matter provided by the legislature for submission to the electorate.

10 (2) A county legislative authority may call a special county  
11 election by presenting a resolution to the county auditor prior to  
12 the proposed election date. A special election called by the county  
13 legislative authority shall be held on one of the following dates as  
14 decided by such governing body:

15 (a) ~~((The second Tuesday in February;~~

16 ~~(b) The fourth Tuesday in April;~~

17 ~~(e))~~ The day of the primary as specified by RCW 29A.04.311; or

18 ~~((d))~~ (b) The first Tuesday after the first Monday in November.

19 (3) ~~((A resolution calling for a special election on a date set  
20 forth in subsection (2)(a) and (b) of this section must be presented  
21 to the county auditor at least sixty days prior to the election  
22 date.))~~ A resolution calling for a special election on a date set  
23 forth in subsection (2)~~((e))~~ (a) of this section must be presented  
24 to the county auditor no later than the Friday immediately before the  
25 first day of regular candidate filing. A resolution calling for a  
26 special election on a date set forth in subsection (2)~~((d))~~ (b) of  
27 this section must be presented to the county auditor no later than  
28 the day of the primary.

29 (4) In addition to the dates set forth in subsection (2)~~((a)  
30 through (d))~~ of this section, a special election to validate an  
31 excess levy or bond issue may be called at any time to meet the needs  
32 resulting from fire, flood, earthquake, or other act of God. Such  
33 county special election shall be noticed and conducted in the manner  
34 provided by law.

35 (5) This section shall supersede the provisions of any and all  
36 other statutes, whether general or special in nature, having  
37 different dates for such city, town, and district elections, the  
38 purpose of this section being to establish mandatory dates for  
39 holding elections. This section shall not be construed as fixing the

1 time for holding primary elections, or elections for the recall of  
2 any elective public officer.

3 **Sec. 2.** RCW 29A.04.330 and 2015 c 146 s 2 are each amended to  
4 read as follows:

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

8 This section shall not apply to:

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

10 (b) Public utility districts, conservation districts, or district  
11 elections at which the ownership of property within those districts  
12 is a prerequisite to voting, all of which elections shall be held at  
13 the times prescribed in the laws specifically applicable thereto;

14 (c) Consolidation proposals as provided for in RCW 28A.315.235  
15 and nonhigh capital fund aid proposals as provided for in chapter  
16 28A.540 RCW; and

17 (d) Special flood control districts consisting of three or more  
18 counties.

19 (2) The county auditor, as ex officio supervisor of elections,  
20 upon request in the form of a resolution of the governing body of a  
21 city, town, or district, presented to the auditor prior to the  
22 proposed election date, shall call a special election in such city,  
23 town, or district, and for the purpose of such special election he or  
24 she may combine, unite, or divide precincts. Such a special election  
25 shall be held on one of the following dates as decided by the  
26 governing body:

27 (a) ~~((The second Tuesday in February;~~

28 ~~(b) The fourth Tuesday in April;~~

29 ~~(e))~~ The day of the primary election as specified by RCW  
30 29A.04.311; or

31 ~~((d))~~ (b) The first Tuesday after the first Monday in November.

32 (3) ~~((A resolution calling for a special election on a date set  
33 forth in subsection (2)(a) and (b) of this section must be presented  
34 to the county auditor at least sixty days prior to the election  
35 date.))~~ A resolution calling for a special election on a date set  
36 forth in subsection (2)~~((e))~~ (a) of this section must be presented  
37 to the county auditor no later than the Friday immediately before the  
38 first day of regular candidate filing. A resolution calling for a  
39 special election on a date set forth in subsection (2)~~((d))~~ (b) of

1 this section must be presented to the county auditor no later than  
2 the day of the primary.

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

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

17 **Sec. 3.** RCW 29A.60.190 and 2015 c 146 s 4 are each amended to  
18 read as follows:

19 (~~Ten days after a special election held in February or April,~~)  
20 Fourteen days after a primary, or twenty-one days after a general  
21 election, the county canvassing board shall complete the canvass and  
22 certify the results. Each ballot that was returned before 8:00 p.m.  
23 on the day of the special election, general election, or primary, and  
24 each ballot bearing a postmark on or before the date of the special  
25 election, general election, or primary and received no later than the  
26 day before certification, must be included in the canvass report.

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