H-1829.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**HOUSE BILL 1727**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 67th Legislature 2022 Regular Session**

**By** Representatives Gregerson, Entenman, Bateman, Macri, Peterson, Ramos, Simmons, Harris-Talley, and Frame

AN ACT Relating to odd-numbered year elections; amending RCW 29A.04.321, 29A.04.330, 29A.04.420, 29A.92.050, 29A.92.110, 36.105.090, 35.17.020, 35.18.270, 35.23.051, 35.27.090, 35.30.080, 35.61.050, 35A.02.050, 36.32.030, 36.32.0554, 36.69.070, 36.105.050, 36.105.060, 36.69.090, 36.93.051, 36.93.061, and 36.93.063; creating a new section; and providing an effective date.

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

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

(1) All state, county, city, town, and district general elections for the election of federal, state, legislative, judicial, county, city, town, and district officers, and for the submission to the voters of the state, county, city, town, or district of any measure for their adoption and approval or rejection, shall be held on the first Tuesday after the first Monday of November, in ((~~the year in which they may be called. A statewide general election shall be held on the first Tuesday after the first Monday of November of each year. However, the statewide general election~~)) each even-numbered year, except as provided in subsection (2) of this section.

(2) Elections held on the first Tuesday after the first Monday of November in odd-numbered years shall be limited to (a) city, town, and district ((~~general~~)) elections as provided for in RCW 29A.04.330(1)(a), or as otherwise provided by law; (b) ((~~the~~)) a special election of federal officers for the remainder of any unexpired terms in the membership of either branch of the congress of the United States; (c) ((~~the election of state and county officers for the remainder of any unexpired terms of offices created by or whose duties are described in Article II, section 15, Article III, sections 16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3 and 5 of the state Constitution and RCW 2.06.080; (d) the election of county officers in any county governed by a charter containing provisions calling for general county elections at this time; and (e) the approval or rejection of state measures, including proposed constitutional amendments, matters pertaining to any proposed constitutional convention, initiative measures and referendum measures proposed by the electorate, referendum bills, and any other matter provided by the legislature for submission to the electorate~~)) a special election called under subsection (3) of this section or RCW 29A.04.330; or (d) a special election called for the recall of any elective public officer.

((~~(2)~~)) (3) A county legislative authority may call a special county election by presenting a resolution to the county auditor prior to the proposed election date. A special election called by the county legislative authority shall be held on one of the following dates as decided by such governing body in either an even-numbered or odd-numbered year:

(a) The second Tuesday in February;

(b) The fourth Tuesday in April;

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

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

((~~(3)~~)) (4) A resolution calling for a special election on a date set forth in subsection ((~~(2)~~)) (3)(a) and (b) of this section must be presented to the county auditor at least sixty days prior to the election date. A resolution calling for a special election on a date set forth in subsection ((~~(2)~~)) (3)(c) of this section must be presented to the county auditor no later than the Friday immediately before the first day of regular candidate filing. A resolution calling for a special election on a date set forth in subsection ((~~(2)~~)) (3)(d) of this section must be presented to the county auditor no later than the day of the primary.

((~~(4)~~)) (5) In addition to the dates set forth in subsection ((~~(2)~~)) (3)(a) through (d) of this section, a special election to validate an excess levy or bond issue may be called at any time to meet the needs resulting from fire, flood, earthquake, or other act of God. Such county special election shall be noticed and conducted in the manner provided by law.

((~~(5)~~)) (6) This section shall supersede the provisions of any and all other statutes and of any local government charter, whether general or special in nature, having different dates for such county, city, town, and district elections, the purpose of this section being to establish mandatory dates for holding elections. This section shall not be construed as fixing the time for holding primary elections, or elections for the recall of any elective public officer.

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

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

This section shall not apply to:

(a) Elections held before the year 2028, although a county, city, town, or district may choose to hold its elections in even-numbered years before 2028;

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

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

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

((~~(d)~~)) (e) Special flood control districts consisting of three or more counties.

(2) The county auditor, as ex officio supervisor of elections, upon request in the form of a resolution of the governing body of a city, town, or district, presented to the auditor prior to the proposed election date, shall call a special election in such city, town, or district, and for the purpose of such special election he or she may combine, unite, or divide precincts. Such a special election shall be held on one of the following dates as decided by the governing body in either an even-numbered or odd-numbered year:

(a) The second Tuesday in February;

(b) The fourth Tuesday in April;

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

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

(3) A resolution calling for a special election on a date set forth in subsection (2)(a) and (b) of this section must be presented to the county auditor at least sixty days prior to the election date. A resolution calling for a special election on a date set forth in subsection (2)(c) of this section must be presented to the county auditor no later than the Friday immediately before the first day of regular candidate filing. A resolution calling for a special election on a date set forth in subsection (2)(d) of this section must be presented to the county auditor no later than the day of the primary.

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

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

NEW SECTION. **Sec.**  Whenever, as a result of the application of this act, the term of office of an elected official is scheduled to expire under RCW 29A.60.280 but a general election for that office has not yet been held, the elected official shall continue to serve until a successor is elected and qualified and assumes office in accordance with RCW 29A.60.280.

**Sec.**  RCW 29A.04.420 and 2020 c 337 s 2 are each amended to read as follows:

(1) Whenever federal officers, state officers, or measures are voted upon at a state primary or ((~~general~~)) special election held under RCW 29A.04.321, the state of Washington shall assume a prorated share of the costs of that state primary or ((~~general~~)) special election for the federal and state offices and measures, including the prorated cost of return postage, required to be included on return envelopes pursuant to RCW 29A.40.091.

(2) Whenever a primary or vacancy election is held to fill a vacancy in the position of United States senator or United States representative under chapter 29A.28 RCW, the state of Washington shall assume a prorated share of the costs of that primary or vacancy election.

(3) The county auditor shall apportion the state's share of these expenses when prorating election costs under RCW 29A.04.410 and in accordance with the state budgeting, accounting, and reporting system, shall file such expense claims with the secretary of state.

(4) The secretary of state shall include in his or her biennial budget requests sufficient funds to carry out this section. Reimbursements for election costs shall be from appropriations specifically provided by law for that purpose.

(5) State and federal offices are to be considered one entity for purposes of election cost proration and reimbursement.

**Sec.**  RCW 29A.92.050 and 2021 c 173 s 4 are each amended to read as follows:

(1)(a) Prior to the adoption of its proposed plan, the political subdivision must provide public notice to residents of the subdivision about the proposed remedy to a potential violation of RCW 29A.92.020. If a significant segment of the residents of the subdivision have limited English proficiency and speaks a language other than English, the political subdivision must:

(i) Provide accurate written and verbal notice of the proposed remedy in languages that diverse residents of the political subdivision can understand, as indicated by demographic data; and

(ii) Air radio or television public service announcements describing the proposed remedy broadcast in the languages that diverse residents of the political subdivision can understand, as indicated by demographic data.

(b) The political subdivision shall hold at least one public hearing on the proposed plan at least one week before adoption.

(c) For purposes of this section, "significant segment of the community" means five percent or more of residents, or five hundred or more residents, whichever is fewer, residing in the political subdivision.

(2)(a) If the political subdivision invokes its authority under RCW 29A.92.040 and the plan is adopted during the period of time between the first Tuesday after the first Monday of November and on or before January 15th of the following year, the political subdivision shall ((~~order new elections to occur at the next succeeding general election~~)) request new elections to occur at a special election under RCW 29A.04.330 held on the first Tuesday after the first Monday in the next November.

(b) If the political subdivision invokes its authority under RCW 29A.92.040 and the plan is adopted during the period of time between January 16th and on or before the first Monday of November, the next election will occur as scheduled and organized under the current electoral system, but the political subdivision shall ((~~order new elections to occur pursuant to the remedy at the general election~~)) request new elections to occur at a special election under RCW 29A.04.330 held on the first Tuesday after the first Monday in November of the following calendar year.

(3) If a political subdivision implements a district-based election system under RCW 29A.92.040(2), the plan shall be consistent with the following criteria:

(a) Each district shall be as reasonably equal in population as possible to each and every other such district comprising the political subdivision.

(b) Each district shall be reasonably compact.

(c) Each district shall consist of geographically contiguous area.

(d) To the extent feasible, the district boundaries shall coincide with existing recognized natural boundaries and shall, to the extent possible, preserve existing communities of related and mutual interest.

(e) District boundaries may not be drawn or maintained in a manner that creates or perpetuates the dilution of the votes of the members of a protected class or classes.

(f) All positions on the governing body must stand for election at the next election for the governing body, scheduled pursuant to subsection (2) of this section. The governing body may subsequently choose to stagger the terms of its positions.

(4) Within forty-five days after receipt of federal decennial census information applicable to a specific local area, the commission established in RCW 44.05.030 shall forward the census information to each political subdivision.

(5) No later than November 15th of each year ending in one, the governing body of the political subdivision that had previously invoked its authority under RCW 29A.92.040 to implement a district-based election system, or that was previously charged with redistricting under RCW 29A.92.110, shall prepare a plan for redistricting its districts, pursuant to RCW 29A.76.010, and in a manner consistent with this chapter.

**Sec.**  RCW 29A.92.110 and 2019 c 454 s 2 are each amended to read as follows:

(1) The court may order appropriate remedies including, but not limited to, the imposition of a district-based election system. The court may order the affected jurisdiction to draw or redraw district boundaries or appoint an individual or panel to draw or redraw district lines. The proposed districts must be approved by the court prior to their implementation.

(2) Implementation of a district-based remedy is not precluded by the fact that members of a protected class do not constitute a numerical majority within a proposed district-based election district. If, in tailoring a remedy, the court orders the implementation of a district-based election district where the members of the protected class are not a numerical majority, the court shall do so in a manner that provides the protected class an equal opportunity to elect candidates of their choice. The court may also approve a district-based election system that provides the protected class the opportunity to join in a coalition of two or more protected classes to elect candidates of their choice if there is demonstrated political cohesion among the protected classes.

(3) In tailoring a remedy after a finding of a violation of RCW 29A.92.020:

(a) If the court's order providing a remedy or approving proposed districts, whichever is later, is issued during the period of time between the first Tuesday after the first Monday of November and on or before January 15th of the following year, the court shall order new elections, conducted pursuant to the remedy, to occur at ((~~the next succeeding general election~~)) a general or special election held on the first Tuesday after the first Monday in the next November. If a special filing period is required, filings for that office shall be reopened for a period of three business days, such three-day period to be fixed by the filing officer.

(b) If the court's order providing a remedy or approving proposed districts, whichever is later, is issued during the period of time between January 16th and on or before the first Monday of November, the next election will occur as scheduled and organized under the current electoral system, but the court shall order new elections to occur pursuant to the remedy at ((~~the general election~~)) a general or special election held on the first Tuesday after the first Monday in November of the following calendar year.

(c) The remedy may provide for the political subdivision to hold elections for the members of its governing body at the same time as regularly scheduled elections for statewide or federal offices. All positions on the governing body must stand for election at the next election for the governing body, scheduled pursuant to this subsection (3). The governing body may subsequently choose to stagger the terms of its positions.

(4) Within thirty days of the conclusion of any action filed under RCW 29A.92.100, the political subdivision must publish on the subdivision's website, the outcome and summary of the action, as well as the legal costs incurred by the subdivision. If the political subdivision does not have its own website, then it may publish on the county website.

**Sec.**  RCW 36.105.090 and 1991 c 363 s 107 are each amended to read as follows:

A community council may provide for the annexation of adjacent unincorporated areas to the community that are not included within another community for which a community council has been established. Annexations shall be initiated by either resolution of the community council proposing the annexation or petition of voters residing in the adjacent area, which petition: (a) Requests the annexation; (b) sets forth the boundaries of the area proposed to be annexed; and (c) contains signatures of voters residing within the area that is proposed to be annexed equal in number to at least ten percent of the voters residing in that area who voted at the last state general election. Annexation petitions shall be filed with the county auditor who shall determine if the petitions contain a sufficient number of valid signatures, certify the sufficiency of the petitions, and notify the community council of the sufficiency of the petitions within fifteen days of when the petitions are submitted.

A ballot proposition authorizing the annexation shall be submitted to the voters of the area that is proposed to be annexed at a primary ((~~or~~)), general, or special election in either an odd-numbered or even-numbered year, if the community council initiated the annexation by resolution or if the community council concurs in an annexation that was initiated by the submission of annexation petitions containing sufficient valid signatures. The annexation shall occur if the ballot proposition authorizing the creation of the community is approved by a simple majority vote of the voters voting on the proposition. The county's comprehensive plan, and where applicable to the county's subarea plan, and zoning ordinances shall continue in effect in the annexed area until proposed amendments to the approved community comprehensive plans and approved community zoning ordinance have been approved that apply to the annexed area.

**Sec.**  RCW 35.17.020 and 2013 c 11 s 87 are each amended to read as follows:

(1) All regular elections in cities organized under the statutory commission form of government shall be held ((~~quadrennially in the odd-numbered years~~)) on the dates provided in RCW 29A.04.330. ((~~However, after commissioners are elected at the next general election occurring in 1995 or 1997, regular elections in cities organized under a statutory commission form of government shall be held biennially at municipal general elections.~~))

(2) The commissioners shall be nominated and elected at large. Their terms shall be for four years and until their successors are elected and qualified and assume office in accordance with RCW 29A.60.280. ((~~However, at the next regular election of a city organized under a statutory commission form of government, the terms of office of commissioners shall occur with the person who is elected as a commissioner receiving the least number of votes being elected to a two-year term of office and the other two persons who are elected being elected to four-year terms of office. Thereafter, commissioners shall be elected to four-year terms of office.~~))

(3) Vacancies on a commission shall occur and shall be filled as provided in chapter 42.12 RCW.

**Sec.**  RCW 35.18.270 and 1994 c 223 s 13 are each amended to read as follows:

If the majority of the votes cast at a special election for organization on the council-manager plan favor the plan, the city or town shall elect the council required under the council-manager plan in number according to its population at the next municipal general election. However, special elections shall be held to nominate and elect the new city councilmembers at the next primary and general election held in an even-numbered year if the next municipal general election is more than one year after the date of the election at which the voters approved the council-manager plan. The staggering of terms of office shall occur at the election when the new councilmembers are elected, where the simple majority of the persons elected as councilmembers receiving the greatest numbers of votes shall be elected to four-year terms of office ((~~if the election is held in an odd-numbered year, or three-year terms of office if the election is held in an even-numbered year~~)), and the remainder of the persons elected as councilmembers shall be elected to two-year terms of office ((~~if the election is held in an odd-numbered year, or one-year terms of office if the election is held in an even-numbered year~~)). The initial councilmembers shall take office immediately when they are elected and qualified, but the lengths of their terms of office shall be calculated from the first day in January in the year following the election.

**Sec.**  RCW 35.23.051 and 2019 c 454 s 5 are each amended to read as follows:

General municipal elections in second‑class cities shall be held biennially ((~~in the odd-numbered years~~)) on the date provided in RCW 29A.04.330 and shall be subject to general election law.

The terms of office of the mayor, city attorney, clerk, and treasurer shall be four years and until their successors are elected and qualified and assume office in accordance with RCW 29A.60.280: PROVIDED, That if the offices of city attorney, clerk, and treasurer are made appointive, the city attorney, clerk, and treasurer shall not be appointed for a definite term: PROVIDED FURTHER, That the term of the elected treasurer shall not commence in the same biennium in which the term of the mayor commences, nor in which the terms of the city attorney and clerk commence if they are elected.

Council positions shall be numbered in each second‑class city so that council position seven has a two-year term of office and council positions one through six shall each have four-year terms of office. Each councilmember shall remain in office until a successor is elected and qualified and assumes office in accordance with RCW 29A.60.280.

In its discretion the council of a second‑class city may divide the city by ordinance, into a convenient number of wards, not exceeding six, fix the boundaries of the wards, and change the ward boundaries from time to time and as provided in RCW 29A.76.010. No change in the boundaries of any ward shall be made within one hundred twenty days next before the date of a general municipal election, nor within twenty months after the wards have been established or altered unless pursuant to RCW 29A.92.040 or 29A.92.110. However, if a boundary change results in one ward being represented by more councilmembers than the number to which it is entitled, those having the shortest unexpired terms shall be assigned by the council to wards where there is a vacancy, and the councilmembers so assigned shall be deemed to be residents of the wards to which they are assigned for purposes of determining whether those positions are vacant.

Whenever such city is so divided into wards, the city council shall designate by ordinance the number of councilmembers to be elected from each ward, apportioning the same in proportion to the population of the wards. Thereafter the councilmembers so designated shall be elected by the voters resident in such ward, or by general vote of the whole city as may be designated in such ordinance. Council position seven shall not be associated with a ward and the person elected to that position may reside anywhere in the city and voters throughout the city may vote at a primary to nominate candidates for position seven, when a primary is necessary, and at a general election to elect the person to council position seven. Additional territory that is added to the city shall, by act of the council, be annexed to contiguous wards without affecting the right to redistrict at the expiration of twenty months after last previous division. The removal of a councilmember from the ward for which he or she was elected shall create a vacancy in such office.

Wards shall be redrawn as provided in chapter 29A.76 RCW. Wards shall be used as follows: (1) Only a resident of the ward may be a candidate for, or hold office as, a councilmember of the ward; and (2) only voters of the ward may vote at a primary to nominate candidates for a councilmember of the ward. Voters of the entire city may vote at the general election to elect a councilmember of a ward, unless the city had prior to January 1, 1994, limited the voting in the general election for any or all council positions to only voters residing within the ward associated with the council positions. If a city had so limited the voting in the general election to only voters residing within the ward, then the city shall be authorized to continue to do so. The elections for the remaining council position or council positions that are not associated with a ward shall be conducted as if the wards did not exist.

**Sec.**  RCW 35.27.090 and 2009 c 549 s 2056 are each amended to read as follows:

All general municipal elections in towns shall be held biennially ((~~in the odd-numbered years as~~)) on the date provided in RCW 29A.04.330. The term of office of the mayor and treasurer shall be four years and until their successors are elected and qualified and assume office in accordance with RCW ((~~29A.20.040~~)) 29A.60.280: PROVIDED, That the term of the treasurer shall not commence in the same biennium in which the term of the mayor commences. Councilmembers shall be elected for four year terms and until their successors are elected and qualified and assume office in accordance with RCW ((~~29A.20.040~~)) 29A.60.280; three at one election and two at the next succeeding biennial election.

**Sec.**  RCW 35.30.080 and 2015 c 53 s 42 are each amended to read as follows:

(1) When a majority of the legislative body of an unclassified city determines that it would serve the best interests and general welfare of such municipality to change the election procedures of such city to the procedures specified in this section, such legislative body may, by resolution, declare its intention to adopt such procedures for the city. Such resolution must be adopted at least one hundred eighty days before the general municipal election at which the new election procedures are implemented. Within ten days after the passage of the resolution, the legislative body shall cause it to be published at least once in a newspaper of general circulation within the city.

(2) All general municipal elections in an unclassified city adopting a resolution under subsection (1) of this section shall be held biennially ((~~in the odd-numbered years as~~)) on the date provided in RCW 29A.04.330 and shall be held in accordance with the general election laws of the state.

The term of the treasurer shall not commence in the same biennium in which the term of the mayor commences. Candidates for the city council shall run for specific council positions. The staggering of terms of city officers shall be established at the first election, where the simple majority of the persons elected as councilmembers receiving the greatest numbers of votes shall be elected to four-year terms of office and the remainder of the persons elected as councilmembers and the treasurer shall be elected to two-year terms of office. Thereafter, all elected city officers shall be elected for four-year terms and until their successors are elected and qualified and assume office in accordance with RCW 29A.60.280.

**Sec.**  RCW 35.61.050 and 2015 c 53 s 44 are each amended to read as follows:

(1) The resolution or petition submitting the ballot proposition shall designate the composition of the board of metropolitan park commissioners from among the alternatives provided under subsections (2) through (4) of this section. The ballot proposition shall clearly describe the designated composition of the board.

(2) The commissioners of the district may be selected by election, in which case at the same election at which the proposition is submitted to the voters as to whether a metropolitan park district is to be formed, five park commissioners shall be elected. The election of park commissioners shall be null and void if the metropolitan park district is not created. Candidates shall run for specific commission positions. No primary shall be held to nominate candidates. The person receiving the greatest number of votes for each position shall be elected as a commissioner. The staggering of the terms of office shall occur as follows: (a) The two persons who are elected receiving the two greatest numbers of votes shall be elected to six-year terms of office ((~~if the election is held in an odd-numbered year or five-year terms of office if the election is held in an even-numbered year~~)); (b) the two persons who are elected receiving the next two greatest numbers of votes shall be elected to four-year terms of office ((~~if the election is held in an odd-numbered year or three-year terms of office if the election is held in an even-numbered year~~)); and (c) the other person who is elected shall be elected to a two-year term of office ((~~if the election is held in an odd-numbered year or a one-year term of office if the election is held in an even-numbered year~~)). The initial commissioners shall take office immediately when they are elected and qualified, and for purposes of computing their terms of office the terms shall be assumed to commence on the first day of January in the year after they are elected. Thereafter, all commissioners shall be elected to six-year terms of office. All commissioners shall serve until their respective successors are elected and qualified and assume office in accordance with RCW 29A.60.280. Vacancies shall occur and shall be filled as provided in chapter 42.12 RCW.

(3) In a district wholly located within a city or within the unincorporated area of a county, the governing body of such city or legislative authority of such county may be designated to serve in an ex officio capacity as the board of metropolitan park commissioners, provided that when creation of the district is proposed by citizen petition, the city or county approves by resolution such designation.

(4) Where the proposed district is located within more than one city, more than one county, or any combination of cities and counties, each city governing body and county legislative authority may be designated to collectively serve ex officio as the board of metropolitan park commissioners through selection of one or more members from each to serve as the board, provided that when creation of the district is proposed by citizen petition, each city governing body and county legislative authority approve by resolution such designation. Within six months of the date of certification of election results approving creation of the district, the size and membership of the board shall be determined through interlocal agreement of each city and county. The interlocal agreement shall specify the method for filling vacancies on the board.

(5) Metropolitan park districts created by a vote of the people prior to June 13, 2002, may not change the composition and method of selection of their governing authority without approval of the voters. Should such a change be desired, the board of park commissioners shall submit a ballot proposition to the voters of the metropolitan park district.

**Sec.**  RCW 35A.02.050 and 2015 c 53 s 48 are each amended to read as follows:

The first election of officers where required for reorganization under a different general plan of government newly adopted in a manner provided in RCW 35A.02.020, 35A.02.030, 35A.06.030, or 35A.06.060, as now or hereafter amended, shall be at the next general municipal election if one is to be held more than ninety days but not more than one hundred and eighty days after certification of a reorganization ordinance or resolution, or otherwise at a special election to be held for that purpose in accordance with RCW 29A.04.330. In the event that the first election of officers is to be held at a general municipal election, such election shall be preceded by a primary election pursuant to RCW 29A.52.210 and 29A.04.311. In the event that the first election of all officers is to be held at a special election rather than at a general election, and notwithstanding any provisions of any other law to the contrary, such special election shall be preceded by a primary election to be held on a date authorized by RCW 29A.04.321, and the persons nominated at that primary election shall be voted upon at the next succeeding special election that is authorized by RCW 29A.04.321: PROVIDED, That in the event the ordinances calling for reclassification or reclassification and reorganization under the provisions of ((~~Title 35A RCW~~)) this title have been filed with the secretary of state pursuant to RCW 35A.02.040 in an even-numbered year at least ninety days prior to a state general election then the election of new officers shall be concurrent with the state primary and general election and shall be conducted as set forth in general election law.

Upon reorganization, candidates for all offices shall file or be nominated for and successful candidates shall be elected to specific council positions. The initial terms of office for those elected at a first election of all officers shall be as follows: (1) A simple majority of the persons who are elected as councilmembers receiving the greatest numbers of votes and the mayor in a city with a mayor-council plan of government shall be elected to four-year terms of office((~~, if the election is held in an odd-numbered year, or three-year terms of office, if the election is held in an even-numbered year~~)); and (2) the other persons who are elected as councilmembers shall be elected to two-year terms of office((~~, if the election is held in an odd-numbered year, or one-year terms of office, if the election is held in an even-numbered year~~)). The newly elected officials shall take office immediately when they are elected and qualified, but the length of their terms of office shall be calculated from the first day of January in the year following the election. Thereafter, each person elected as a councilmember or mayor in a city with a mayor-council plan of government shall be elected to a four-year term of office. Each councilmember and mayor in a city with a mayor-council plan of government shall serve until a successor is elected and qualified and assumes office as provided in RCW 29A.60.280.

The former officers shall, upon the election and qualification of new officers, deliver to the proper officers of the reorganized noncharter code city all books of record, documents and papers in their possession belonging to such municipal corporation before the reorganization thereof.

**Sec.**  RCW 36.32.030 and 2018 c 301 s 6 are each amended to read as follows:

(1) Except as provided otherwise in subsection (2) of this section, the terms of office of county commissioners shall be four years and shall extend until their successors are elected and qualified and assume office in accordance with RCW 29A.60.280. The terms of office of county commissioners shall be staggered ((~~so that either one or two commissioners are elected at a general election held in each even-numbered year~~)).

(2) At the general election held in 2022, any noncharter county with a population of four hundred thousand or more must elect county commissioners in accordance with a districting plan adopted under RCW 36.32.054. Any county commissioner whose term is set to expire on or after January 1, 2023, is subject to the new election in accordance with the districting plan. The county commissioners shall begin their terms of office on January 1, 2023, and such terms shall be staggered terms, as designated in the districting plan.

**Sec.**  RCW 36.32.0554 and 1990 c 252 s 4 are each amended to read as follows:

The terms of the persons who are initially elected to positions four and five under RCW 36.32.0552 shall be as follows:

(1) ((~~If the year in which the primary and general elections are held is an even-numbered year, the~~)) The person elected to position four shall be elected for a two-year term, and the person elected to position five shall be elected for a four-year term((~~; or~~

~~(2) If the year in which the primary and general elections are held is an odd-numbered year, the person elected to position four shall be elected for a one-year term, and the person elected to position five shall be elected for a three-year term~~)).

(2) The length of the terms shall be calculated from the first day of January in the year following the election. Each person elected pursuant to subsection (1) ((~~or (2)~~)) of this section shall take office immediately upon the issuance of a certificate of his or her election.

(3) Thereafter, persons elected to commissioner positions four and five shall be elected for four-year terms and shall take office at the same time the other members of the board of county commissioners take office.

**Sec.**  RCW 36.69.070 and 2015 c 53 s 66 are each amended to read as follows:

A ballot proposition authorizing the formation of the proposed park and recreation district shall be submitted to the voters of the proposed district for their approval or rejection at the next general state election occurring sixty or more days after the county legislative authority fixes the boundaries of the proposed district. Notices of the election for the formation of the park and recreation district shall state generally and briefly the purpose thereof and shall give the boundaries of the proposed district and name the day of the election and the hours during which the polls will be open. The proposition to be submitted to the voters shall be stated in such manner that the voters may indicate yes or no upon the proposition of forming the proposed park and recreation district.

The initial park and recreation commissioners shall be elected at the same election, but this election shall be null and void if the district is not authorized to be formed. No primary shall be held to nominate candidates for the initial commissioner positions. Candidates shall run for specific commission positions. A special filing period shall be opened as provided in RCW 29A.24.171 and 29A.24.181. The person who receives the greatest number of votes for each commission position shall be elected to that position. The three persons who are elected receiving the greatest number of votes shall be elected to four-year terms of office ((~~if the election is held in an odd-numbered year or three-year terms of office if the election is held in an even-numbered year~~)). The other two persons who are elected shall be elected to two-year terms of office ((~~if the election is held in an odd-numbered year or one-year terms of office if the election is held in an even-numbered year~~)). The initial commissioners shall take office immediately upon being elected and qualified, but the length of such terms shall be computed from the first day of January in the year following this election.

**Sec.**  RCW 36.105.050 and 2015 c 53 s 68 are each amended to read as follows:

The initial members of the community council shall be elected at the same election as the ballot proposition is submitted authorizing the creation of the community council. However, the election of the initial community councilmembers shall be null and void if the ballot proposition authorizing the creation of the community council is not approved.

No primary election shall be held to nominate candidates for initial council positions. The initial community council shall consist of the candidate for each council position who receives the greatest number of votes for that council position. Staggering of terms of office shall be accomplished by having the majority of the winning candidates who receive the greatest number of votes being elected to four-year terms of office, and the remaining winning candidates being elected to two-year terms of office, ((~~if the election was held in an even-numbered year, or the majority of the winning candidates who receive the greatest number of votes being elected to three-year terms of office, and the remaining winning candidates being elected to one-year terms of office, if the election was held in an odd-numbered year,~~)) with the term computed from the first day of January in the year following the election. Initial councilmembers shall take office immediately when qualified in accordance with RCW 29A.04.133.

((~~However, where the county operates under a charter providing for the election of members of the county legislative authority in odd-numbered years, the terms of office of the initial councilmembers shall be four years and two years, if the election of the initial councilmembers was held on an odd-numbered year, or three years and one year, if the election of the initial councilmembers was held on an even-numbered year.~~))

**Sec.**  RCW 36.105.060 and 1991 c 363 s 104 are each amended to read as follows:

Community councilmembers shall be elected to staggered four-year terms until their successors are elected and qualified. Each council position shall be numbered separately. Candidates shall run for specific council positions. The number of council positions shall be five, seven, nine, or eleven, as specified in the petition calling for the creation of the community council.

Community councilmembers shall be nominated and elected at nonpartisan elections pursuant to general election laws, ((~~except~~)) and the elections shall be held ((~~in even-numbered years, unless the county operates under a charter and members of the county legislative authority are elected in odd-numbered years, in which case, community councilmembers shall be elected in odd-numbered years~~)) on the date provided in RCW 29A.04.330.

The provisions of this section apply to the election and terms of office of the initial community councilmembers, except as provided in RCW 36.105.050.

A councilmember shall lose his or her council position if his or her primary residence no longer is located within the community. Vacancies on a community council shall be filled by action of the remaining councilmembers.

**Sec.**  RCW 36.69.090 and 2015 c 53 s 67 are each amended to read as follows:

A park and recreation district shall be governed by a board of five commissioners. Except for the initial commissioners, all commissioners shall be elected to staggered four-year terms of office and shall serve until their successors are elected and qualified and assume office in accordance with RCW 29A.60.280. Candidates shall run for specific commissioner positions.

Elections for park and recreation district commissioners shall be held biennially in conjunction with the general election ((~~in each odd-numbered year~~)) on the date provided in RCW 29A.04.330. Elections shall be held in accordance with the provisions of Title 29A RCW dealing with general elections, except that there shall be no primary to nominate candidates. All persons filing and qualifying shall appear on the general election ballot and the person receiving the largest number of votes for each position shall be elected.

**Sec.**  RCW 36.93.051 and 2011 1st sp.s. c 21 s 23 are each amended to read as follows:

The boundary review board in each county with a population of one million or more shall consist of eleven members chosen as follows:

(1) Four persons shall be appointed by the county appointing authority;

(2) Four persons shall be appointed by the mayors of the cities and towns located within the county; and

(3) Three persons shall be appointed by the board from nominees of special districts in the county.

The governor shall designate one initial appointee to serve a term of two years, and two initial appointees to serve terms of four years, if the appointments are made in an ((~~odd-numbered~~)) even-numbered year, or one initial appointee to serve a term of one year, and two initial appointees to serve terms of three years, if the appointments are made in an ((~~even-numbered~~)) odd-numbered year, with the length of the term being calculated from the first day of February in the year the appointment was made.

The county appointing authority shall designate one of its initial appointees to serve a term of two years, and two of its initial appointees to serve terms of four years, if the appointments are made in an ((~~odd-numbered~~)) even-numbered year, or one of its initial appointees to serve a term of one year, and two of its initial appointees to serve terms of three years, if the appointments are made in an ((~~even-numbered~~)) odd-numbered year, with the length of the term being calculated from the first day of February in the year the appointment was made.

The mayors making the initial city and town appointments shall designate two of their initial appointees to serve terms of two years, and one of their initial appointees to serve a term of four years, if the appointments are made in an ((~~odd-numbered~~)) even-numbered year, or two of their initial appointees to serve terms of one year, and one of their initial appointees to serve a term of three years, if the appointments are made in an ((~~even-numbered~~)) odd-numbered year, with the length of the term being calculated from the first day of February in the year the appointment was made.

The board shall make two initial appointments from the nominees of special districts, with one appointee serving a term of four years and one initial appointee serving a term of two years, if the appointments are made in an ((~~odd-numbered~~)) even-numbered year, or one initial appointee serving a term of three years and one initial appointee serving a term of one year if the appointments are made in an ((~~even-numbered~~)) odd-numbered year, with the length of the term being calculated from the first day of March in the year in which the appointment is made.

After the initial appointments, all appointees shall serve four-year terms.

No appointee may be an official or employee of the county or a governmental unit in the county, or a consultant or advisor on a contractual or regular retained basis of the county, any governmental unit in the county, or any agency or association thereof.

**Sec.**  RCW 36.93.061 and 1991 c 363 s 94 are each amended to read as follows:

The boundary review board in each county with a population of less than one million shall consist of five members chosen as follows:

(1) Two persons shall be appointed by the governor;

(2) One person shall be appointed by the county appointing authority;

(3) One person shall be appointed by the mayors of the cities and towns located within the county; and

(4) One person shall be appointed by the board from nominees of special districts in the county.

The governor shall designate one initial appointee to serve a term of two years, and one initial appointee to serve a term of four years, if the appointments are made in an ((~~odd-numbered~~)) even-numbered year, or one initial appointee to serve a term of one year, and one initial appointee to serve a term of three years, if the appointments are made in an ((~~even-numbered~~)) odd-numbered year, with the length of a term being calculated from the first day of February in the year that the appointment was made.

The initial appointee of the county appointing authority shall serve a term of two years, if the appointment is made in an ((~~odd-numbered~~)) even-numbered year, or a term of one year, if the appointment is made in an ((~~even-numbered~~)) odd-numbered year. The initial appointee by the mayors shall serve a term of four years, if the appointment is made in an ((~~odd-numbered~~)) even-numbered year, or a term of three years, if the appointment is made in an ((~~even-numbered~~)) odd-numbered year. The length of the term shall be calculated from the first day in February in the year the appointment was made.

The board shall make one initial appointment from the nominees of special districts to serve a term of two years if the appointment is made in an ((~~odd-numbered~~)) even-numbered year, or a term of one year if the appointment is made in an ((~~even-numbered~~)) odd-numbered year, with the length of the term being calculated from the first day of March in the year in which the appointment is made.

After the initial appointments, all appointees shall serve four-year terms.

No appointee may be an official or employee of the county or a governmental unit in the county, or a consultant or advisor on a contractual or regular retained basis of the county, any governmental unit in the county, or any agency or association thereof.

**Sec.**  RCW 36.93.063 and 1991 c 363 s 95 are each amended to read as follows:

The executive of the county shall make the appointments under RCW 36.93.051 and 36.93.061 for the county, if one exists, or otherwise the county legislative authority shall make the appointments for the county.

The mayors of all cities and towns in the county shall meet on or before the last day of January in each ((~~odd-numbered~~)) even-numbered year to make such appointments for terms to commence on the first day of February in that year. The date of the meeting shall be called by the mayor of the largest city or town in the county, and the mayor of the largest city or town in the county who attends the meeting shall preside over the meeting. Selection of each appointee shall be by simple majority vote of those mayors who attend the meeting.

Any special district in the county may nominate a person to be appointed to the board on or before the last day of January in each ((~~odd-numbered~~)) even-numbered year that the term for this position expires. The board shall make its appointment of a nominee or nominees from the special districts during the month of February following the date by which such nominations are required to be made.

The county appointing authority and the mayors of cities and towns within the county shall make their initial appointments for newly created boards within sixty days of the creation of the board or shall make sufficient additional appointments to increase a five-member board to an eleven-member board within sixty days of the date the county obtains a population of one million or more. The board shall make its initial appointment or appointments of board members from the nominees of special districts located within the county within ninety days of the creation of the board or shall make an additional appointment of a board member from the nominees of special districts located within the county within ninety days of the date the county obtains a population of one million or more.

The term of office for all appointees other than the appointee from the special districts shall commence on the first day of February in the year in which the term is to commence. The term of office for the appointee from nominees of special districts shall commence on the first day of March in the year in which the term is to commence.

Vacancies on the board shall be filled by appointment of a person to serve the remainder of the term in the same manner that the person whose position is vacant was filled.

NEW SECTION. **Sec.**  This act takes effect January 1, 2023.

**--- END ---**