S-0266.2

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**SENATE BILL 5131**

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**State of Washington 67th Legislature 2021 Regular Session**

**By** Senator Holy

AN ACT Relating to county clerks duties related to recall petitions; and amending RCW 29A.56.140.

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

**Sec.**  RCW 29A.56.140 and 2003 c 111 s 1410 are each amended to read as follows:

Within ((~~fifteen~~)) 15 days after receiving the petition, the superior court shall have conducted a hearing on and shall have determined, without cost to any party, (1) whether or not the acts stated in the charge satisfy the criteria for which a recall petition may be filed, and (2) the adequacy of the ballot synopsis. The ((~~clerk of the superior~~)) court shall notify the person subject to recall and the person demanding recall of the hearing date. Both persons may appear with counsel. The court may hear arguments as to the sufficiency of the charges and the adequacy of the ballot synopsis. The court shall not consider the truth of the charges, but only their sufficiency. An appeal of a sufficiency decision shall be filed in the supreme court as specified by RCW 29A.56.270. The superior court shall correct any ballot synopsis it deems inadequate. Any decision regarding the ballot synopsis by the superior court is final. The ((~~court~~)) clerk shall certify and transmit the ballot synopsis to the officer subject to recall, the person demanding the recall, and either the secretary of state or the county auditor, as appropriate.

**--- END ---**