
SUBSTITUTE SENATE BILL 5340

State of Washington

67th Legislature

2021 Regular Session

By Senate Early Learning & K-12 Education (originally sponsored by Senators Salomon, Das, Dhingra, Hunt, Lovelett, Nguyen, and Saldaña)

READ FIRST TIME 02/11/21.

1 AN ACT Relating to qualifications for school board directors; and
2 amending RCW 28A.343.340, 29A.24.031, 29A.24.075, and 42.04.020.

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

4 **Sec. 1.** RCW 28A.343.340 and 1969 ex.s. c 223 s 28A.57.318 are
5 each amended to read as follows:

6 (1) Directors of school districts shall be elected at regular
7 school elections. No person shall be eligible to the office of school
8 director who is not at least 18 years of age, a citizen of the United
9 States or lawful permanent resident, and a resident of the state of
10 Washington and ((a registered voter of)) either the school district
11 or director district, as the case may be.

12 (2) A person who has been convicted of a felony and whose right
13 to vote has not been restored under RCW 29A.08.520 is ineligible for
14 the office of school director.

15 **Sec. 2.** RCW 29A.24.031 and 2013 c 11 s 31 are each amended to
16 read as follows:

17 A candidate who desires to have his or her name printed on the
18 ballot for election to an office other than president of the United
19 States, vice president of the United States, or an office for which
20 ownership of property is a prerequisite to voting shall complete and

1 file a declaration of candidacy. The secretary of state shall adopt,
2 by rule, a declaration of candidacy form for the office of precinct
3 committee officer and a separate standard form for candidates for all
4 other offices filing under this chapter. Included on the standard
5 form shall be:

6 (1) ((A)) (a) Except for candidates for school district director,
7 a place for the candidate to declare that he or she is a registered
8 voter within the jurisdiction of the office for which he or she is
9 filing, and the address at which he or she is registered;

10 (b) For candidates for school district director, a place for the
11 candidate to declare that he or she is at least 18 years of age, a
12 citizen of the United States or lawful permanent resident, and not a
13 person convicted of a felony who has not had their voting rights
14 restored under RCW 29A.08.520 and provide proof of residency in
15 either the school district or director district, as the case may be,
16 using one of the forms of alternate identification listed in RCW
17 29A.08.107(2);

18 (2) A place for the candidate to indicate the position for which
19 he or she is filing;

20 (3) A place for the candidate to state a party preference, if the
21 office is a partisan office;

22 (4) A place for the candidate to indicate the amount of the
23 filing fee accompanying the declaration of candidacy or for the
24 candidate to indicate that he or she is filing a filing fee petition
25 in lieu of the filing fee under RCW 29A.24.091;

26 (5) A place for the candidate to sign the declaration of
27 candidacy, stating that the information provided on the form is true
28 and swearing or affirming that he or she will support the
29 Constitution and laws of the United States and the Constitution and
30 laws of the state of Washington.

31 In the case of a declaration of candidacy filed electronically,
32 submission of the form constitutes agreement that the information
33 provided with the filing is true, that he or she will support the
34 Constitutions and laws of the United States and the state of
35 Washington, and that he or she agrees to electronic payment of the
36 filing fee established in RCW 29A.24.091.

37 The secretary of state may require any other information on the
38 form he or she deems appropriate to facilitate the filing process.

1 **Sec. 3.** RCW 29A.24.075 and 2013 c 11 s 25 are each amended to
2 read as follows:

3 (1) A person filing a declaration of candidacy for an office
4 shall, at the time of filing, be a registered voter and possess the
5 qualifications specified by law for persons who may be elected to the
6 office.

7 (2) Excluding the office of precinct committee officer or a
8 temporary elected position such as a charter review board member or
9 freeholder, no person may file for more than one office.

10 (3) The name of a candidate for an office shall not appear on a
11 ballot for that office unless, except for judge of the superior court
12 and as provided in RCW 3.50.057, the candidate is, at the time the
13 candidate's declaration of candidacy is filed, properly registered to
14 vote in the geographic area represented by the office. For the
15 purposes of this section, each geographic area in which registered
16 voters may cast ballots for an office is represented by that office.
17 If a person elected to an office must be nominated from a district or
18 similar division of the geographic area represented by the office,
19 the name of a candidate for the office shall not appear on a primary
20 ballot for that office unless the candidate is, at the time the
21 candidate's declaration of candidacy is filed, properly registered to
22 vote in that district or division. The officer with whom declarations
23 of candidacy must be filed under this title shall review each such
24 declaration filed regarding compliance with this subsection.

25 (4) The requirements of voter registration and residence within
26 the geographic area of a district do not apply to candidates for
27 congressional office. Qualifications for the United States congress
28 are specified in the United States Constitution.

29 (5) The requirement of being a registered voter does not apply to
30 candidates for school district director. Qualifications for school
31 district director are specified in RCW 28A.343.340.

32 **Sec. 4.** RCW 42.04.020 and 2012 c 117 s 94 are each amended to
33 read as follows:

34 (1) That no person shall be competent to qualify for or hold any
35 elective public office within the state of Washington, or any county,
36 district, precinct, (~~school district,~~) municipal corporation or
37 other district or political subdivision, unless he or she be a
38 citizen of the United States and state of Washington and an elector

1 of such county, district, precinct, (~~school district,~~) municipality
2 or other district or political subdivision.

3 (2) The requirements of being a citizen and district elector do
4 not apply to candidates for school district director. Qualifications
5 for school district director are specified in RCW 28A.343.340.

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