
**State Government & Tribal Affairs
Committee**

HB 1364

Brief Description: Making technical corrections to election provisions.

Sponsors: Representatives Hunt, Armstrong, McCoy and Kenney; by request of Secretary of State.

Brief Summary of Bill

- Restores six year terms for first-class school district board members so long as the district contains a first-class city and is located in a county with a population of 210,000 or more.
- Updates the filing period for declaration of candidacy for a city or town elective position.

Hearing Date: 1/27/09

Staff: Tracey O'Brien (786-7196)

Background:

In 2003 the Legislature reorganized and streamlined the election procedures statutes that were in Title 29. The result is the current Title 29A which now contains the laws establishing procedures for the conduct of elections.

Each member of a school board is elected by the registered voters of the school district and holds office for a term of four years and until a successor is elected and qualified. Up until 2003 first class school districts containing a first-class city, located in a county with a population of at least 210,000, could elect school board members for terms of six years.

Persons wishing to appear on a ballot for election to office other than the President or Vice President of the United States, must file a declaration of candidacy. Unless otherwise provided,

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the filing period shall begin no earlier than the first Monday in June and no later than the following Friday in the year in which the office is scheduled to be voted upon.

Summary of Bill:

A first-class school district containing a first-class city and located in a county with a population of 210,000 or more shall hold school board elections on a biennial basis. School board members may be elected for six year terms and serve until their successor is elected, qualified and assumes office. If the school board reduces the length of terms from 6 years to 4 years, the reduction in the length of the term must not affect the term of office of any incumbent school board member without his or her consent. In addition, a provision must be made to appropriately stagger future elections. These provisions apply retroactively to July 1, 2004.

The declaration of candidacy filing period for city and town elective positions must be between 45 and 60 days prior to the primary election at which the initial elected officials are nominated. Any candidate may withdraw his or her declaration at any time within five days after the last day allowed for filing a declaration of candidacy.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.