

2 **SB 6309** - H COMM AMD
3 By Committee on State Government

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 29.30 RCW
8 to read as follows:

9 This section applies if a candidate for an elective office of a
10 city, town, or special purpose district or for the office of district
11 court judge would, under this title, otherwise qualify to have his or
12 her name printed on the general election ballot for the office, but the
13 candidate has been declared to be unqualified to hold the office by a
14 court of competent jurisdiction.

15 (1) In a case in which a primary is conducted for the office:

16 (a) If ballots for the general election for the office have not
17 been ordered by the county auditor, the candidate who received the
18 third greatest number of votes for the office at the primary shall
19 qualify as a candidate for general election, if the candidate received
20 at least one percent of the total votes cast for the office at the
21 primary, and that candidate's name shall be printed on the ballot for
22 the office in lieu of the name of the disqualified candidate. If the
23 candidate who received the third greatest number of votes for the
24 office at the primary has also been declared to be unqualified to hold
25 the office, a candidate receiving the fourth greatest number of votes
26 for the office at the primary, who received at least one percent of
27 such vote, shall qualify as a candidate for the general election and
28 his or her name shall be printed on the ballot. If the one percent

1 requirement is not met by such candidates, then only the name of the
2 qualified candidate with the greatest number of votes for the office at
3 the primary shall be printed on the ballot for the office.

4 (b) If general election ballots for the office have been so
5 ordered, votes cast for the disqualified candidate at the general
6 election for the office shall not be counted for that office.

7 (2) In a case in which a primary is not conducted for the city,
8 town, or district office or in a case in which fewer than three
9 candidates appeared on the primary ballot for the office of district
10 court judge:

11 (a) If ballots for the general election for the office have not
12 been ordered by the county auditor, the name of the disqualified
13 candidate shall not appear on the general election ballot for the
14 office.

15 (b) If general election ballots for the office have been so
16 ordered, votes cast for the disqualified candidate at the general
17 election for the office shall not be counted for that office.

18 (3) If the disqualified candidate is the only candidate to have
19 filed for the office during a regular or special filing period for the
20 office, a void in candidacy for the office exists."

21 "Sec. 2. RCW 29.30.085 and 1990 c 59 s 95 are each amended to read
22 as follows:

23 (1) Except as provided (~~under~~) in section 1 of this act and in
24 subsection (2) of this section, on the ballot at the general election
25 for a nonpartisan office for which a primary was held, only the names
26 of the candidate who received the greatest number of votes and the
27 candidate who received the next greatest number of votes for that
28 office shall appear under the title of that office, and the names shall
29 appear in that order. If a primary was conducted, no candidate's name

1 may be printed on the subsequent general election ballot unless he or
2 she receives at least one percent of the total votes cast for that
3 office at the preceding primary. On the ballot at the general election
4 for any other nonpartisan office for which no primary was held, the
5 names of the candidates shall be listed in the order determined under
6 RCW 29.30.025.

7 (2) On the ballot at the general election for the office of justice
8 of the supreme court, judge of the court of appeals, judge of the
9 superior court, or state superintendent of public instruction, if a
10 candidate in a contested primary receives a majority of all the votes
11 cast for that office or position, only the name of that candidate may
12 be printed under the title of the office for that position."

13 "NEW SECTION. **Sec. 3.** This act shall take effect July 1,
14 1992."

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18 On page 1, line 1 of the title, after "offices;" strike the
19 remainder of the title and insert "amending RCW 29.30.085; adding a new
20 section to chapter 29.30 RCW; and providing an effective date."