

HOUSE BILL REPORT

ESB 6213

*As Passed House
March 4, 1992*

Title: An act relating to special elections.

Brief Description: Setting certain special election dates.

Sponsor(s): Senator Roach.

Brief History:

Reported by House Committee on:
State Government, February 25, 1992, DP;
Passed House, March 4, 1992, 95-0.

**HOUSE COMMITTEE ON
STATE GOVERNMENT**

Majority Report: *Do pass.* Signed by 10 members:
Representatives Anderson, Chair; Pruitt, Vice Chair; McLean,
Ranking Minority Member; Bowman, Assistant Ranking Minority
Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and
Sheldon.

Staff: Kenneth Hirst (786-7105).

Background: Local Special Elections. If the legislative authority of a county deems an emergency to exist, it may call a special election on any of the following dates: the first Tuesday following a Monday in February; the second Tuesday in March; the first Tuesday following a Monday in April; the fourth Tuesday in May; the state primary; or the general election. In addition, the county legislative authority may call a special election at any time to validate a levy or bond issue to meet needs resulting from the failure of a levy or to respond to a natural disaster.

A unit of local government other than a county may request that the county auditor conduct a special election on any of the dates specified for use by the county. The auditor may call the election if the auditor deems an emergency to exist. Special elections for such other local governments may also be called at any time to validate a failed levy or bond issue or to respond to a natural disaster.

Presidential Primary. Initiative No. 99 established a presidential preferential primary in this state and directed

that the presidential primary be held on the fourth Tuesday in May of a presidential election year unless the date were altered by the secretary of state to facilitate a regional primary. It also changed the date in May during which a special election could be conducted. The date is now the statutorily set presidential primary date in May.

The date of this year's presidential primary has been set by the secretary of state for May 19th, the third Tuesday in May.

Summary of Bill: If a presidential primary is conducted in this state at any time during February through May, a local special election may also be conducted on the date of that primary in lieu of any other date specified by law for conducting special elections during the month of the presidential primary. The date specified by law for conducting special elections during May is changed to the third Tuesday in May.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: The current law would permit two elections to be conducted within one week of each other: one, a presidential primary; and one, a local special election. That would be an impossible task for the elections office. This bill corrects the situation.

Testimony Against: None.

Witnesses: John Pearson, Office of the Secretary of State (in favor).