

SENATE BILL REPORT

ESSB 5156

AS PASSED SENATE, MARCH 19, 1991

Brief Description: Requiring election officers to review candidates' filings to determine residency.

SPONSORS: Senate Committee on Governmental Operations (originally sponsored by Senators McCaslin, Sutherland, Roach, Matson and Madsen).

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Majority Report: That Substitute Senate Bill No. 5156 be substituted therefor, and the substitute bill do pass.

Signed by Senators McCaslin, Chairman; Madsen, and Matson.

Minority Report: That it not be substituted.

Signed by Senator Sutherland.

Staff: Barbara Howard (786-7410)

Hearing Dates: February 26, 1991; March 4, 1991

HOUSE COMMITTEE ON STATE GOVERNMENT

BACKGROUND:

There is no requirement for local election officers to make sure that candidates for various offices reside in the jurisdictions where they wish to run. In a recent port district election, a commissioner candidate was elected, only to find that he was not a resident and therefore could not serve. Some method of proving the candidate's eligibility might reduce election costs.

SUMMARY:

A candidate filing for office must possess all legal qualifications required for being elected to that office. The candidate must present official documents and an affidavit at the time of filing which show that the candidate is registered in the district for which election is sought. The elections official signs an affidavit indicating acceptance of the necessary documents presented by the candidate.

A candidate's name will not appear on the ballot if this procedure has not been followed. The provisions do not apply to candidates for Congress or the U.S. Senate. Upon request, a local governmental unit must provide to the candidate the most current information describing its geographical boundaries, and the boundaries of any internal election districts.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

This would prevent an ineligible candidate from filing or being elected and could save the cost of potential lawsuits and new elections. The change in the substitute to eliminate the residency requirement makes the procedure more workable. The bill would also allow a citizen to find out if he or she lived in a district where the individual could run for office. Making sure that congressional districts are exempted reduces the administrative burden.

TESTIMONY AGAINST:

This procedure imposes a significant burden on election officials for a very limited result.

TESTIFIED: Scott Taylor, Washington Public Ports Association (pro); David Elliott, Office of the Secretary of State (pro)

HOUSE AMENDMENT(S):

The requirement that the election official execute an affidavit is removed. Local governments must provide accurate information on their geographic boundaries to the county auditor in a single-county district and to the Secretary of State in a multi-county district. In either case, the local government must assure that the information provided is accurate.