

CERTIFICATION OF ENROLLMENT

**SENATE BILL 6061**

53rd Legislature  
1994 Regular Session

Passed by the Senate March 5, 1994  
YEAS 40 NAYS 3

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**President of the Senate**

Passed by the House March 2, 1994  
YEAS 96 NAYS 0

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**Speaker of the  
House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6061** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SENATE BILL 6061**

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AS AMENDED BY THE HOUSE

Passed Legislature - 1994 Regular Session

**State of Washington                      53rd Legislature                      1994 Regular Session**

**By** Senators Vognild, Winsley, Haugen and Sellar

Read first time 01/10/94.      Referred to Committee on Government  
Operations.

1            AN ACT Relating to special elections; amending RCW 29.13.010 and  
2 29.13.020; and providing an effective date.

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

4            **Sec. 1.** RCW 29.13.010 and 1992 c 37 s 1 are each amended to read  
5 as follows:

6            (1) All state, county, city, town, and district general elections  
7 for the election of federal, state, legislative, judicial, county,  
8 city, town, district, and precinct officers, and for the submission to  
9 the voters of the state, county, city, town, or district of any measure  
10 for their adoption and approval or rejection, shall be held on the  
11 first Tuesday after the first Monday of November, in the year in which  
12 they may be called. A state-wide general election shall be held on the  
13 first Tuesday after the first Monday of November of each year:  
14 PROVIDED, That the state-wide general election held in odd-numbered  
15 years shall be limited to (a) city, town, and district general  
16 elections as provided for in RCW 29.13.020, or as otherwise provided by  
17 law; (b) the election of federal officers for the remainder of any  
18 unexpired terms in the membership of either branch of the congress of  
19 the United States; (c) the election of state and county officers for

1 the remainder of any unexpired terms of offices created by or whose  
2 duties are described in Article II, section 15, Article III, sections  
3 16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3 and 5 of the  
4 state Constitution and RCW 2.06.080; (d) the election of county  
5 officers in any county governed by a charter containing provisions  
6 calling for general county elections at this time; and (e) the approval  
7 or rejection of state measures, including proposed constitutional  
8 amendments, matters pertaining to any proposed constitutional  
9 convention, initiative measures and referendum measures proposed by the  
10 electorate, referendum bills, and any other matter provided by the  
11 legislature for submission to the electorate.

12 (2) A county legislative authority may, if it deems an emergency to  
13 exist, call a special county election by presenting a resolution to the  
14 county auditor at least forty-five days prior to the proposed election  
15 date. Except as provided in subsection (4) of this section, a special  
16 election called by the county legislative authority shall be held on  
17 one of the following dates as decided by such governing body:

18 (a) The first Tuesday after the first Monday in February;

19 (b) The second Tuesday in March;

20 (c) The ~~((first Tuesday after the first Monday))~~ fourth Tuesday in  
21 April;

22 (d) The third Tuesday in May;

23 (e) The day of the primary as specified by RCW 29.13.070; or

24 (f) The first Tuesday after the first Monday in November.

25 (3) In addition to the dates set forth in subsection (2) (a)  
26 through (f) of this section, a special election to validate an excess  
27 levy or bond issue may be called at any time to meet the needs  
28 resulting from ~~((failure of a county to pass a special levy for the  
29 first time or from))~~ fire, flood, earthquake, or other act of God.  
30 Such county special election shall be noticed and conducted in the  
31 manner provided by law.

32 (4) In a presidential election year, if a presidential preference  
33 primary is conducted in February, March, April, or May under chapter  
34 29.19 RCW, the date on which a special election may be called by the  
35 county legislative authority under subsection (2) of this section  
36 during the month of that primary is the date of the presidential  
37 primary.

38 (5) This section shall supersede the provisions of any and all  
39 other statutes, whether general or special in nature, having different

1 dates for such city, town, and district elections, the purpose of this  
2 section being to establish mandatory dates for holding elections except  
3 for those elections held pursuant to a home-rule charter adopted under  
4 Article XI, section 4 of the state Constitution. This section shall  
5 not be construed as fixing the time for holding primary elections, or  
6 elections for the recall of any elective public officer.

7 **Sec. 2.** RCW 29.13.020 and 1992 c 37 s 2 are each amended to read  
8 as follows:

9 (1) All city, town, and district general elections shall be held  
10 throughout the state of Washington on the first Tuesday following the  
11 first Monday in November in the odd-numbered years.

12 This section shall not apply to:

13 (a) Elections for the recall of any elective public officer;

14 (b) Public utility districts or district elections at which the  
15 ownership of property within those districts is a prerequisite to  
16 voting, all of which elections shall be held at the times prescribed in  
17 the laws specifically applicable thereto;

18 (c) Consolidation proposals as provided for in RCW 28A.315.280 and  
19 nonhigh capital fund aid proposals as provided for in chapter 28A.540  
20 RCW.

21 (2) The county auditor, as ex officio supervisor of elections, upon  
22 request in the form of a resolution of the governing body of a city,  
23 town, or district, presented to the auditor at least forty-five days  
24 prior to the proposed election date, may, if the county auditor deems  
25 an emergency to exist, call a special election in such city, town, or  
26 district, and for the purpose of such special election he or she may  
27 combine, unite, or divide precincts. Except as provided in subsection  
28 (3) of this section, such a special election shall be held on one of  
29 the following dates as decided by the governing body:

30 (a) The first Tuesday after the first Monday in February;

31 (b) The second Tuesday in March;

32 (c) The (~~first Tuesday after the first Monday~~) fourth Tuesday in  
33 April;

34 (d) The third Tuesday in May;

35 (e) The day of the primary election as specified by RCW 29.13.070;

36 or

37 (f) The first Tuesday after the first Monday in November.

1 (3) In a presidential election year, if a presidential preference  
2 primary is conducted in February, March, April, or May under chapter  
3 29.19 RCW, the date on which a special election may be called under  
4 subsection (2) of this section during the month of that primary is the  
5 date of the presidential primary.

6 (4) In addition to subsection (2) (a) through (f) of this section,  
7 a special election to validate an excess levy or bond issue may be  
8 called at any time to meet the needs resulting from ~~((failure of a  
9 school or junior taxing district to pass a special levy or bond issue  
10 for the first time or from))~~ fire, flood, earthquake, or other act of  
11 God, except that no special election may be held between the first day  
12 for candidates to file for public office and the last day to certify  
13 the returns of the general election other than as provided in  
14 subsection (2) (e) and (f) of this section. Such special election  
15 shall be conducted and notice thereof given in the manner provided by  
16 law.

17 (5) This section shall supersede the provisions of any and all  
18 other statutes, whether general or special in nature, having different  
19 dates for such city, town, and district elections, the purpose of this  
20 section being to establish mandatory dates for holding elections.

21 NEW SECTION. **Sec. 3.** This act shall take effect January 1, 1995.

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