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HOUSE BILL 2298

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State of Washington                    36 Legislature                    1999 1 Special Session

By Representatives Romero, Keiser, Stensen and Kenney

Prefiled May 16, 1999. Read first time May 17, 1999.

1            AN ACT Relating to the dates of special elections; and amending RCW  
2 29.13.010 and 29.13.020.

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

4            **Sec. 1.** RCW 29.13.010 and 1994 c 142 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 fourth Tuesday in April;
- 21 (d) The third Tuesday in May;
- 22 (e) The day of the primary as specified by RCW 29.13.070; or
- 23 (f) The first Tuesday after the first Monday in November.

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

29 (4) In a presidential election year, if a presidential preference  
30 primary is conducted in February, March, April, or May under chapter  
31 29.19 RCW, the date on which a special election may be called by the  
32 county legislative authority under subsection (2) of this section  
33 during the month of that primary (~~is~~) may be, but need not be, the  
34 date of the presidential primary.

35 (5) This section shall supersede the provisions of any and all  
36 other statutes, whether general or special in nature, having different  
37 dates for such city, town, and district elections, the purpose of this  
38 section being to establish mandatory dates for holding elections except  
39 for those elections held pursuant to a home-rule charter adopted under

1 Article XI, section 4 of the state Constitution. This section shall  
2 not be construed as fixing the time for holding primary elections, or  
3 elections for the recall of any elective public officer.

4 **Sec. 2.** RCW 29.13.020 and 1994 c 142 s 2 are each amended to read  
5 as follows:

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

9 This section shall not apply to:

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

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

15 (c) Consolidation proposals as provided for in chapter 28A.315 RCW  
16 (~~((28A.315.280))~~) and nonhigh capital fund aid proposals as provided for  
17 in chapter 28A.540 RCW.

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

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

28 (b) The second Tuesday in March;

29 (c) The fourth Tuesday in April;

30 (d) The third Tuesday in May;

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

32 or

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

34 (3) In a presidential election year, if a presidential preference  
35 primary is conducted in February, March, April, or May under chapter  
36 29.19 RCW, the date on which a special election may be called under  
37 subsection (2) of this section during the month of that primary (~~(is)~~)  
38 may be, but need not be, the date of the presidential primary.

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

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

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