
HOUSE BILL 2300

State of Washington 56th Legislature 1999 1 Special Session

By Representatives Romero, McMorris, Stensen and D. Schmidt

Read first time . Referred to Committee on .

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
31 chapter 29.19 RCW, (~~((the date on which))~~) a county legislative authority
32 may call a special election (~~((may be called by the county legislative~~
33 ~~authority))~~) under subsection (2) of this section (~~((during the month of~~
34 ~~that primary is))~~) only on the date of the presidential preference
35 primary or on another date specified under subsection (2) of this
36 section that is twenty-one or more days from the date of the
37 presidential preference 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 1994 c 142 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 chapter 28A.315 RCW
19 (~~28A.315-280~~) and nonhigh capital fund aid proposals as provided for
20 in chapter 28A.540 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 fourth Tuesday in April;

33 (d) The third Tuesday in May;

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

35 or

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

37 (3) In a presidential election year, if a presidential preference
38 primary is conducted (~~in February, March, April, or May~~) under

1 chapter 29.19 RCW, (~~the date on which~~) a county auditor may call a
2 special election (~~may be called~~) under subsection (2) of this section
3 (~~during the month of that primary is~~) only on the date of the
4 presidential preference primary or on another date specified under
5 subsection (2) of this section if the date is twenty-one or more days
6 from the date of the presidential preference primary.

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

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

--- END ---