

HOUSE BILL REPORT

SB 5273

As Passed House:

April 4, 2001

Title: An act relating to election filing dates.

Brief Description: Revising election filing dates.

Sponsors: By Senators Gardner, McCaslin, Haugen and Winsley.

Brief History:

Committee Activity:

State Government: 3/21/01, 3/28/01 [DP].

Floor Activity:

Passed House: 4/4/01, 93-0.

Brief Summary of Bill

- Increases the number of weeks before an election by which an event must have occurred to trigger the election officer to open a special filing period.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass. Signed by 8 members: Representatives McMorris, Republican Co-Chair; Romero, Democratic Co-Chair; Miloscia, Democratic Vice Chair; Schindler, Republican Vice Chair; Haigh, Lambert, McDermott and D. Schmidt.

Staff: Catherine Blinn (786-7114).

Background:

Special Filing Periods:

Certain events will cause an election officer to open a special three-day filing period. Those events include a void in candidacy, i.e., there are no candidates for the office; a vacancy in an office, leaving an unexpired term requiring an election for which a filing period has not yet been held; and the death or disqualification of the sole candidate for Superior Court judge. The specific dates of special filing periods are fixed by the relevant election officer. Candidates who validly file within the three-day period appear on the ballot as though they filed during the regular filing period.

A special filing period for the primary is opened if any of the events listed above occur prior to the fourth Tuesday before the primary. With the exception of Supreme Court judge and Superintendent of Public Instruction, a special filing period for the general is opened for nonpartisan offices if any of the events occur between the fourth Tuesday before the primary and the fourth Tuesday before the general.

A candidate may withdraw his or her declaration of candidacy at any time before the close of business on the Thursday after the last day of the regular filing period.

Correcting Ballots:

A vacancy caused by the death or disqualification of a partisan candidate may be filled until the day before the primary or general election. If the vacancy occurs before the third Tuesday before the election, the ballots must be corrected in a manner that makes the correction reasonably clear. If the vacancy occurs after the third Tuesday before the election and there is insufficient time to correct the ballots, the votes cast for the deceased or disqualified candidate are counted for the candidate named to fill the vacancy.

Summary of Bill:

Special Filing Periods:

The date by which events that trigger a special filing period must occur changes from the fourth Tuesday before the primary to the sixth Tuesday before the primary. Events that trigger a special filing period for the general election must occur between the sixth Tuesday before the primary and the sixth Tuesday before the general. A special filing period opens when the sole candidate for superior court judge dies or is disqualified within 10 days of the end of the withdrawal period.

Correcting Ballots:

Ballots must be corrected if a vacancy of a partisan candidate occurs before the sixth Tuesday prior to the election, rather than the third Tuesday prior to the election.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill is not as complicated as it may initially sound. Late filing periods cause problems for the timely printing of absentee ballots. An earlier special filing period would alleviate some of the printing problems. The bill will provide a better procedure for auditors.

Testimony Against: None.

Testified: Bob Bruce, King County Records; and Barbara Sandahl, Washington Association of County Officials.