
SENATE BILL 6211

State of Washington 57th Legislature 2001 Third Special Session

By Senator Gardner

HELD ON FIRST READING. 07/16/2001. READ FIRST TIME 07/24/01. Referred to Committee on State & Local Government.

1 AN ACT Relating to vacancies; amending RCW 29.15.190 and 42.12.040;
2 and declaring an emergency.

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

4 **Sec. 1.** RCW 29.15.190 and 1975-'76 2nd ex.s. c 120 s 12 are each
5 amended to read as follows:

6 A scheduled election shall be lapsed, the office deemed stricken
7 from the ballot, no purported write-in votes counted, and no candidate
8 certified as elected, when:

9 (1) In an election for judge of the supreme court or superintendent
10 of public instruction, a void in candidacy occurs on or after the
11 (~~fourth~~) sixth Tuesday prior to a primary, public filings and the
12 primary being an indispensable phase of the election process for such
13 offices;

14 (2) Except as otherwise specified in RCW 29.15.180, (~~as now or~~
15 ~~hereafter amended,~~) a nominee for judge of the superior court entitled
16 to a certificate of election pursuant to Article 4, section 29,
17 Amendment 41 of the state Constitution dies or is disqualified on or
18 after the (~~fourth~~) sixth Tuesday prior to a primary;

1 (3) In other elections for nonpartisan office a void in candidacy
2 occurs or a vacancy occurs involving an unexpired term to be filled on
3 or after the ((fourth)) sixth Tuesday prior to an election.

4 **Sec. 2.** RCW 42.12.040 and 1981 c 180 s 1 are each amended to read
5 as follows:

6 If a vacancy occurs in any partisan elective office in the
7 executive or legislative branches of state government or in any
8 partisan county elective office before the ((fourth)) sixth Tuesday
9 prior to the primary for the next general election following the
10 occurrence of the vacancy, a successor shall be elected to that office
11 at that general election. Except during the last year of the term of
12 office, if such a vacancy occurs on or after the ((fourth)) sixth
13 Tuesday prior to the primary for that general election, the election of
14 the successor shall occur at the next succeeding general election. The
15 elected successor shall hold office for the remainder of the unexpired
16 term. This section shall not apply to any vacancy occurring in a
17 charter county which has charter provisions inconsistent with this
18 section.

19 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
20 preservation of the public peace, health, or safety, or support of the
21 state government and its existing public institutions, and takes effect
22 immediately.

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