

**SB 5411 - S AMD 653**

By Senator Brandland

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 29A.52.110 and 2003 c 111 s 1302 are each amended to  
4 read as follows:

5 Candidates for the following offices shall be nominated at partisan  
6 primaries held pursuant to the provisions of this chapter:

7 (1) Congressional offices;

8 (2) All state offices except (a) judicial offices and (b) the  
9 office of superintendent of public instruction;

10 (3) All county offices except (a) judicial offices; (b) sheriff,  
11 except in a county for which the position is declared to be a partisan  
12 office by the county's home rule charter; and ~~((b))~~ (c) those offices  
13 where a county home rule charter provides otherwise.

14 **Sec. 2.** RCW 29A.52.210 and 2003 c 111 s 1305 are each amended to  
15 read as follows:

16 All city and town primaries shall be nonpartisan. Primaries for  
17 special purpose districts, except those districts that require  
18 ownership of property within the district as a prerequisite to voting,  
19 shall be nonpartisan. Primaries for the office of county sheriff shall  
20 be nonpartisan except in a county for which the position is declared  
21 to be a partisan office by the county's home rule charter. City, town,  
22 county sheriff, and district primaries shall be held as provided in RCW  
23 29A.04.310.

24 The purpose of this section is to establish the holding of a  
25 primary, subject to the exemptions in RCW 29A.52.220, as a uniform  
26 procedural requirement to the holding of city, town, county sheriff,  
27 and district elections. These provisions supersede any and all other  
28 statutes, whether general or special in nature, having different  
29 election requirements.

1       **Sec. 3.** RCW 29A.52.220 and 2003 c 111 s 1306 are each amended to  
2 read as follows:

3       (1) No primary may be held for any single position in any city,  
4 town, district, (~~(or)~~) district court, or for the nonpartisan position  
5 of county sheriff, as required by RCW 29A.52.210, if, after the last  
6 day allowed for candidates to withdraw, there are no more than two  
7 candidates filed for the position. The county auditor shall, as soon  
8 as possible, notify all the candidates so affected that the office for  
9 which they filed will not appear on the primary ballot.

10       (2) No primary may be held for the office of commissioner of a park  
11 and recreation district or for the office of cemetery district  
12 commissioner.

13       (3) Names of candidates for offices that do not appear on the  
14 primary ballot shall be printed upon the general election ballot in the  
15 manner specified by RCW 29A.36.130.

16       **Sec. 4.** RCW 29A.52.230 and 2003 c 111 s 1307 are each amended to  
17 read as follows:

18       The offices of superintendent of public instruction, justice of the  
19 supreme court, judge of the court of appeals, judge of the superior  
20 court, and judge of the district court shall be nonpartisan and the  
21 candidates therefor shall be nominated and elected as such. Except in  
22 a county for which the position of sheriff is declared to be a partisan  
23 office by the county's home rule charter, the office of county sheriff  
24 shall be nonpartisan and the candidates therefor shall be nominated and  
25 elected as such.

26       All city, town, and special purpose district elective offices shall  
27 be nonpartisan and the candidates therefor shall be nominated and  
28 elected as such.

29       **Sec. 5.** RCW 29A.36.130 and 2003 c 111 s 913 are each amended to  
30 read as follows:

31       After the close of business on the last day for candidates to file  
32 for office, the filing officer shall, from among those filings made in  
33 person and by mail, determine by lot the order in which the names of  
34 those candidates will appear on all sample and absentee ballots. In  
35 the case of candidates for city, town, and district office, and for

1 nonpartisan sheriff, this procedure shall also determine the order for  
2 candidate names on the official primary ballot used at the polling  
3 place. The determination shall be done publicly and may be witnessed  
4 by the media and by any candidate. If no primary is required for any  
5 nonpartisan office under RCW 29A.52.010 or 29A.52.220, the names shall  
6 appear on the general election ballot in the order determined by lot.

7 NEW SECTION. **Sec. 6.** A new section is added to chapter 36.28 RCW  
8 to read as follows:

9 A vacancy in the office of sheriff shall be filled by appointment  
10 of the board of county commissioners.

11 NEW SECTION. **Sec. 7.** This act takes effect July 1, 2004."

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12 On page 1, line 1 of the title, after "sheriffs;" strike the  
13 remainder of the title and insert "amending RCW 29A.52.110, 29A.52.210,  
14 29A.52.220, 29A.52.230, and 29A.36.130; adding a new section to chapter  
15 36.28 RCW; and providing an effective date."

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