

# SENATE BILL REPORT

## SHB 1390

---

---

As of April 1, 2003

**Title:** An act relating to the process for election to local nonpartisan offices.

**Brief Description:** Authorizing instant runoff voting.

**Sponsors:** House Committee on Local Government (originally sponsored by Representatives Moeller, Jarrett, Lovick, Fromhold, Voloria, Kessler, Pettigrew, Miloscia, McDermott, Dunshee, Upthegrove, DeBolt, Wallace, Wood, Sullivan, Schual-Berke, Kagi and Nixon).

**Brief History:**

**Committee Activity:** Government Operations & Elections: 4/2/03.

---

### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

---

**Staff:** Mac Nicholson (786-7445)

**Background:** City and town primary elections are nonpartisan and are held when more than two candidates file for the same position. Generally, if a primary was held for a nonpartisan office, the general election ballot must contain the names of the two candidates receiving the highest vote totals, listed in that order. A candidate must receive at least 1 percent of the votes cast for the office being sought in the primary in order to advance to the general election ballot. If no primary was held, the order of the candidate names for the general election ballot is determined by a lot drawing by the county filing officer. The candidate receiving the highest vote total in the general election is elected to the office.

Cities and towns in Washington are classified according to population at the time of organization. A first class city is a city with a population of at least 10,000 inhabitants at the time of organization that has adopted a charter. The 10 first class cities in the state are Aberdeen, Bellingham, Bremerton, Everett, Seattle, Richland, Spokane, Tacoma, Vancouver, and Yakima.

Instant runoff voting (IRV) is a system of voting whereby voters may rank one or more candidates for the same office in order of preference, up to the maximum number of choices allowed. IRV counting procedures specify that a candidate is elected upon receiving a majority of the votes cast for a race. If no candidate receives a majority of votes after the initial counting stage, the last place candidate is eliminated. The second highest ranked choices on the ballots for an eliminated candidate become votes for the candidates so designated in those choices. This process continues through each preferential ranking until a candidate receives a majority of the votes or until all but one candidate remains.

**Summary of Bill:** The Secretary of State is required to select at least one city and county auditor to participate in a pilot project studying the use of IRV as a local option for nonpartisan offices in charter cities. The pilot project must begin by August 1, 2003, and conclude no later than June 30, 2008.

The Secretary of State is directed to adopt rules governing the conduct of IRV elections; develop a pilot project timeline; certify all election equipment and related processes before conducting an IRV election; and submit a report of findings to the Legislature no later than July 1, 2008.

Following a charter amendment authorizing a city to adopt IRV, and selection by the Secretary of State to participate in the pilot project, the legislative body of a charter city may adopt IRV as the method for electing candidates for all nonpartisan city offices. If the county auditor notifies the city that existing county election equipment is insufficient to conduct an IRV election, the city and county must reach an agreement for the purchase of any new equipment required for the election.

To the extent that they are consistent with the provisions authorizing the IRV pilot project, the laws governing the conduct of elections apply to the IRV pilot project. Primary elections may not be held for nonpartisan city offices selected to participate in the pilot project, and IRV elections may only be held on the dates specified in law for general elections. Cities participating in the pilot project and conducting an IRV election must certify the IRV results on or before the 30th day after the election.

The pilot project authorized by the bill and amendatory provisions to existing law expire on June 30, 2008.

**Appropriation:** None.

**Fiscal Note:** Available.

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