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**SUBSTITUTE HOUSE BILL 2027**

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**State of Washington                      59th Legislature                      2005 Regular Session**

**By** House Committee on State Government Operations & Accountability  
(originally sponsored by Representatives Green, Nixon, Haigh, Kessler  
and Kagi; by request of Secretary of State)

READ FIRST TIME 03/07/05.

1            AN ACT Relating to the date of the primary election; amending RCW  
2 29A.04.321, 29A.04.330, 29A.24.040, 29A.24.050, 29A.24.171, 29A.24.181,  
3 29A.24.191, 29A.40.070, 29A.56.030, 29A.60.190, 27.12.355, 27.12.370,  
4 35.02.086, 35.06.070, 35.13.1821, 35.61.360, 35A.14.299, 36.93.030,  
5 42.12.040, 42.17.080, 42.17.710, 52.02.080, 52.04.056, 52.04.071,  
6 53.04.110, 54.08.010, 54.08.070, 57.04.050, and 70.44.235; reenacting  
7 and amending RCW 29A.04.310 and 29A.24.210; repealing RCW 29A.04.158,  
8 29A.04.311, 29A.24.031, and 29A.24.211; and providing an effective  
9 date.

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

11            **Sec. 1.** RCW 29A.04.310 and 2005 c 2 s 8 (Initiative Measure No.  
12 872) are each reenacted and amended to read as follows:  
13            Primaries for general elections to be held in November must be held  
14 on( (+  
15            (1)) the third Tuesday of the preceding (~~September; or~~  
16            (2) ~~The seventh Tuesday immediately preceding that general~~  
17 ~~election, whichever occurs first~~) August.

1       **Sec. 2.** RCW 29A.04.321 and 2004 c 271 s 106 are each amended to  
2 read as follows:

3       (1) All state, county, city, town, and district general elections  
4 for the election of federal, state, legislative, judicial, county,  
5 city, town, and district officers, and for the submission to the voters  
6 of the state, county, city, town, or district of any measure for their  
7 adoption and approval or rejection, shall be held on the first Tuesday  
8 after the first Monday of November, in the year in which they may be  
9 called. A statewide general election shall be held on the first  
10 Tuesday after the first Monday of November of each year. However, the  
11 statewide general election held in odd-numbered years shall be limited  
12 to (a) city, town, and district general elections as provided for in  
13 RCW 29A.04.330, or as otherwise provided by law; (b) the election of  
14 federal officers for the remainder of any unexpired terms in the  
15 membership of either branch of the Congress of the United States; (c)  
16 the election of state and county officers for the remainder of any  
17 unexpired terms of offices created by or whose duties are described in  
18 Article II, section 15, Article III, sections 16, 17, 19, 20, 21, 22,  
19 and 23, and Article IV, sections 3 and 5 of the state Constitution and  
20 RCW 2.06.080; (d) the election of county officers in any county  
21 governed by a charter containing provisions calling for general county  
22 elections at this time; and (e) the approval or rejection of state  
23 measures, including proposed constitutional amendments, matters  
24 pertaining to any proposed constitutional convention, initiative  
25 measures and referendum measures proposed by the electorate, referendum  
26 bills, and any other matter provided by the legislature for submission  
27 to the electorate.

28       (2) A county legislative authority may(~~(, if it deems an emergency~~  
29 ~~to exist,)) call a special county election by presenting a resolution  
30 to the county auditor (~~(at least forty five days))~~) prior to the  
31 proposed election date. Except as provided in subsection (4) of this  
32 section, a special election called by the county legislative authority  
33 shall be held on one of the following dates as decided by such  
34 governing body:~~

- 35       (a) The first Tuesday after the first Monday in February;
- 36       (b) The second Tuesday in March;
- 37       (c) The fourth Tuesday in April;
- 38       (d) The third Tuesday in May;

1 (e) The day of the primary as specified by RCW (~~29A.04.311~~)  
2 29A.04.310; or

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

4 (3) A resolution calling for a special election on a date set forth  
5 in subsection (2)(a) through (d) of this section must be presented to  
6 the county auditor at least fifty-two days prior to the election date.  
7 A resolution calling for a special election on a date set forth in  
8 subsection (2)(e) or (f) of this section must be presented to the  
9 county auditor at least eighty-four days prior to the election date.

10 (4) In addition to the dates set forth in subsection (2)(a) through  
11 (f) of this section, a special election to validate an excess levy or  
12 bond issue may be called at any time to meet the needs resulting from  
13 fire, flood, earthquake, or other act of God. Such county special  
14 election shall be noticed and conducted in the manner provided by law.

15 (~~(4)~~) (5) In a presidential election year, if a presidential  
16 preference primary is conducted in February, March, April, or May under  
17 chapter 29A.56 RCW, the date on which a special election may be called  
18 by the county legislative authority under subsection (2) of this  
19 section during the month of that primary is the date of the  
20 presidential primary.

21 (~~(5)~~) (6) This section shall supersede the provisions of any and  
22 all other statutes, whether general or special in nature, having  
23 different dates for such city, town, and district elections, the  
24 purpose of this section being to establish mandatory dates for holding  
25 elections except for those elections held pursuant to a home-rule  
26 charter adopted under Article XI, section 4 of the state Constitution.  
27 This section shall not be construed as fixing the time for holding  
28 primary elections, or elections for the recall of any elective public  
29 officer.

30 **Sec. 3.** RCW 29A.04.330 and 2004 c 266 s 6 are each amended to read  
31 as follows:

32 (1) All city, town, and district general elections shall be held  
33 throughout the state of Washington on the first Tuesday following the  
34 first Monday in November in the odd-numbered years.

35 This section shall not apply to:

36 (a) Elections for the recall of any elective public officer;

1 (b) Public utility districts, conservation districts, or district  
2 elections at which the ownership of property within those districts is  
3 a prerequisite to voting, all of which elections shall be held at the  
4 times prescribed in the laws specifically applicable thereto;

5 (c) Consolidation proposals as provided for in RCW 28A.315.235 and  
6 nonhigh capital fund aid proposals as provided for in chapter 28A.540  
7 RCW.

8 (2) The county auditor, as ex officio supervisor of elections, upon  
9 request in the form of a resolution of the governing body of a city,  
10 town, or district, presented to the auditor (~~(at least forty five~~  
11 ~~days))~~ prior to the proposed election date, may(~~(, if the county~~  
12 ~~auditor deems an emergency to exist,))~~ call a special election in such  
13 city, town, or district, and for the purpose of such special election  
14 he or she may combine, unite, or divide precincts. Except as provided  
15 in subsection (3) of this section, such a special election shall be  
16 held on one of the following dates as decided by the governing body:

17 (a) The first Tuesday after the first Monday in February;

18 (b) The second Tuesday in March;

19 (c) The fourth Tuesday in April;

20 (d) The third Tuesday in May;

21 (e) The day of the primary election as specified by RCW 29A.04.310;

22 or

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

24 (3) A resolution calling for a special election on a date set forth  
25 in subsection (2)(a) through (d) of this section must be presented to  
26 the county auditor at least fifty-two days prior to the election date.  
27 A resolution calling for a special election on a date set forth in  
28 subsection (2)(e) or (f) of this section must be presented to the  
29 county auditor at least eighty-four days prior to the election date.

30 (4) In a presidential election year, if a presidential preference  
31 primary is conducted in February, March, April, or May under chapter  
32 29A.56 RCW, the date on which a special election may be called under  
33 subsection (2) of this section during the month of that primary is the  
34 date of the presidential primary.

35 (~~(4)~~) (5) In addition to subsection (2)(a) through (f) of this  
36 section, a special election to validate an excess levy or bond issue  
37 may be called at any time to meet the needs resulting from fire, flood,  
38 earthquake, or other act of God, except that no special election may be

1 held between the first day for candidates to file for public office and  
2 the last day to certify the returns of the general election other than  
3 as provided in subsection (2)(e) and (f) of this section. Such special  
4 election shall be conducted and notice thereof given in the manner  
5 provided by law.

6 ~~((+5))~~ (6) This section shall supersede the provisions of any and  
7 all other statutes, whether general or special in nature, having  
8 different dates for such city, town, and district elections, the  
9 purpose of this section being to establish mandatory dates for holding  
10 elections.

11 **Sec. 4.** RCW 29A.24.040 and 2003 c 111 s 604 are each amended to  
12 read as follows:

13 A candidate may file his or her declaration of candidacy for an  
14 office by electronic means on a system specifically designed and  
15 authorized by a filing officer to accept filings.

16 (1) Filings that are received electronically must capture all  
17 information specified in RCW 29A.24.030 (1) through (4).

18 (2) Electronic filing may begin at 9:00 a.m. the ~~((fourth))~~ third  
19 Monday in ~~((July))~~ May and continue through 4:00 p.m. the following  
20 Friday.

21 (3) In case of special filing periods established in this chapter,  
22 electronic filings may be accepted beginning at 9:00 a.m. on the first  
23 day of the special filing period through 4:00 p.m. the last day of the  
24 special filing period.

25 **Sec. 5.** RCW 29A.24.050 and 2003 c 111 s 605 are each amended to  
26 read as follows:

27 Except where otherwise provided by this title, declarations of  
28 candidacy for the following offices shall be filed during regular  
29 business hours with the filing officer no earlier than the ~~((fourth))~~  
30 third Monday in ~~((July))~~ May and no later than the following Friday in  
31 the year in which the office is scheduled to be voted upon:

32 (1) Offices that are scheduled to be voted upon for full terms or  
33 both full terms and short terms at, or in conjunction with, a state  
34 general election; and

35 (2) Offices where a vacancy, other than a short term, exists that

1 has not been filled by election and for which an election to fill the  
2 vacancy is required in conjunction with the next state general  
3 election.

4 This section supersedes all other statutes that provide for a  
5 different filing period for these offices.

6 **Sec. 6.** RCW 29A.24.171 and 2004 c 271 s 165 are each amended to  
7 read as follows:

8 Filings for a nonpartisan office shall be reopened for a period of  
9 three normal business days, such three-day period to be fixed by the  
10 election officer with whom such declarations of candidacy are filed and  
11 notice thereof given by notifying press, radio, and television in the  
12 county and by such other means as may now or hereafter be provided by  
13 law whenever before the ((~~sixth~~)) eleventh Tuesday prior to a primary:

14 (1) A void in candidacy occurs;

15 (2) A vacancy occurs in any nonpartisan office leaving an unexpired  
16 term to be filled by an election for which filings have not been held;  
17 or

18 (3) A nominee for judge of the superior court entitled to a  
19 certificate of election pursuant to Article 4, section 29, Amendment 41  
20 of the state Constitution, dies or is disqualified.

21 Candidacies validly filed within said three-day period shall appear  
22 on the ballot as if made during the earlier filing period.

23 **Sec. 7.** RCW 29A.24.181 and 2004 c 271 s 166 are each amended to  
24 read as follows:

25 Filings for a nonpartisan office (other than judge of the supreme  
26 court or superintendent of public instruction) shall be reopened for a  
27 period of three normal business days, such three-day period to be fixed  
28 by the election officer with whom such declarations of candidacy are  
29 filed and notice thereof given by notifying press, radio, and  
30 television in the county and by such other means as may now or  
31 hereafter be provided by law, when:

32 (1) A void in candidacy for such nonpartisan office occurs on or  
33 after the ((~~sixth~~)) eleventh Tuesday prior to a primary but prior to  
34 the ((~~sixth~~)) eleventh Tuesday before an election; or

35 (2) A nominee for judge of the superior court eligible after a  
36 contested primary for a certificate of election by Article 4, section

1 29, Amendment 41 of the state Constitution, dies or is disqualified  
2 within the ten-day period immediately following the last day allotted  
3 for a candidate to withdraw; or

4 (3) A vacancy occurs in any nonpartisan office on or after the  
5 ((~~sixth~~)) eleventh Tuesday prior to a primary but prior to the  
6 ((~~sixth~~)) eleventh Tuesday before an election leaving an unexpired term  
7 to be filled by an election for which filings have not been held.

8 The candidate receiving a plurality of the votes cast for that  
9 office in the general election shall be deemed elected.

10 **Sec. 8.** RCW 29A.24.191 and 2004 c 271 s 167 are each amended to  
11 read as follows:

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

15 (1) In an election for judge of the supreme court or superintendent  
16 of public instruction, a void in candidacy occurs on or after the  
17 ((~~sixth~~)) eleventh Tuesday prior to a primary, public filings and the  
18 primary being an indispensable phase of the election process for such  
19 offices;

20 (2) Except as otherwise specified in RCW 29A.24.181, a nominee for  
21 judge of the superior court entitled to a certificate of election  
22 pursuant to Article 4, section 29, Amendment 41 of the state  
23 Constitution dies or is disqualified on or after the ((~~sixth~~)) eleventh  
24 Tuesday prior to a primary;

25 (3) In other elections for nonpartisan office a void in candidacy  
26 occurs or a vacancy occurs involving an unexpired term to be filled on  
27 or after the ((~~sixth~~)) eleventh Tuesday prior to an election.

28 **Sec. 9.** RCW 29A.24.210 and 2005 c 2 s 10 (Initiative Measure No.  
29 872) are each reenacted and amended to read as follows:

30 Filings for a partisan elective office shall be opened for a period  
31 of three normal business days whenever, on or after the first day of  
32 the regular filing period and before the ((~~sixth~~)) eleventh Tuesday  
33 prior to an election, a vacancy occurs in that office, leaving an  
34 unexpired term to be filled by an election for which filings have not  
35 been held.

1 Any special three-day filing period shall be fixed by the election  
2 officer with whom declarations of candidacy for that office are filed.  
3 The election officer shall give notice of the special three-day filing  
4 period by notifying the press, radio, and television in the county or  
5 counties involved, and by any other means as may be required by law.

6 Candidacies validly filed within the special three-day filing  
7 period shall appear on the primary or general election ballot as if  
8 filed during the regular filing period.

9 The procedures for filings for partisan offices where a vacancy  
10 occurs under this section or a void in candidacy occurs under RCW  
11 (~~29A.24.140~~) 29A.24.141 must be substantially similar to the  
12 procedures for nonpartisan offices under RCW (~~29A.24.150~~) 29A.24.151  
13 through (~~29A.24.170~~) 29A.24.171.

14 **Sec. 10.** RCW 29A.40.070 and 2004 c 266 s 13 are each amended to  
15 read as follows:

16 (1) Except where a recount or litigation under RCW (~~29A.68.010~~)  
17 29A.68.011 is pending, the county auditor shall have sufficient  
18 absentee ballots available for absentee voters of that county, other  
19 than overseas voters and service voters, at least twenty days before  
20 any primary, general election, or special election. The county auditor  
21 must mail absentee ballots to each voter for whom the county auditor  
22 has received a request nineteen days before the primary or election at  
23 least eighteen days before the primary or election. For a request for  
24 an absentee ballot received after the nineteenth day before the primary  
25 or election, the county auditor shall make every effort to mail ballots  
26 within one business day, and shall mail the ballots within two business  
27 days.

28 (2) (~~The county auditor shall make every effort to mail ballots to~~  
29 ~~overseas and service voters earlier than eighteen days before a primary~~  
30 ~~or election~~)) At least thirty days before any primary, general  
31 election, or special election, the county auditor shall mail ballots to  
32 all overseas and service voters. A request for a ballot made by an  
33 overseas or service voter after that day must be processed immediately.

34 (3) Each county auditor shall certify to the office of the  
35 secretary of state the dates the ballots prescribed in subsection (1)  
36 of this section were available and mailed.

1 (4) If absentee ballots will not be available or mailed as  
2 prescribed in subsection (1) of this section, the county auditor shall  
3 immediately certify to the office of the secretary of state when  
4 absentee ballots will be available and mailed. Copies of this  
5 certification must be provided to the county canvassing board, the  
6 press, jurisdictions with issues on the ballot in the election, and any  
7 candidates.

8 (5) If absentee ballots were not available or mailed as prescribed  
9 in subsection (1) of this section, for a reason other than a recount or  
10 litigation, the county auditor, in consultation with the certification  
11 and training program of the office of the secretary of state, shall  
12 submit a report to the office of the secretary of state outlining why  
13 the deadline was missed and what corrective actions will be taken in  
14 future elections to ensure that absentee ballots are available and  
15 mailed as prescribed in subsection (1) of this section.

16 (6) Failure to have absentee ballots available and mailed as  
17 prescribed in subsection (1) of this section does not by itself provide  
18 a basis for an election contest or other legal challenge to the results  
19 of a primary, general election, or special election.

20 **Sec. 11.** RCW 29A.56.030 and 2003 c 111 s 1403 are each amended to  
21 read as follows:

22 The name of any candidate for a major political party nomination  
23 for president of the United States shall be printed on the presidential  
24 preference primary ballot of a major political party only:

25 (1) By direction of the secretary of state, who in the secretary's  
26 sole discretion has determined that the candidate's candidacy is  
27 generally advocated or is recognized in national news media; or

28 (2) If members of the political party of the candidate have  
29 presented a petition for nomination of the candidate that has attached  
30 to the petition a sheet or sheets containing the signatures of at least  
31 one thousand registered voters who declare themselves in the petition  
32 as being affiliated with the same political party as the presidential  
33 candidate. The petition shall be filed with the secretary of state not  
34 later than (~~the thirty-ninth day~~) sixty days before the presidential  
35 preference primary. The signature sheets shall also contain the  
36 residence address and name or number of the precinct of each registered

1 voter whose signature appears thereon and shall be certified in the  
2 manner prescribed in RCW 29A.72.230 and 29A.72.240.

3 The secretary of state shall place the name of the candidate on the  
4 ballot unless the candidate, at least (~~(thirty-five)~~) fifty-two days  
5 before the presidential preference primary, executes and files with the  
6 secretary of state an affidavit stating without qualification that he  
7 or she is not now and will not become a candidate for the office of  
8 president of the United States at the forthcoming presidential  
9 election. The secretary of state shall certify the names of all  
10 candidates who will appear on the presidential preference primary  
11 ballot to the respective county auditors on or before the fourth  
12 Tuesday in April of each presidential election year.

13 **Sec. 12.** RCW 29A.60.190 and 2004 c 266 s 18 are each amended to  
14 read as follows:

15 (1) (~~(On the tenth day after a special election or primary and on~~  
16 ~~the fifteenth day after a)~~) Fifteen days after a primary, special  
17 election, or general election, the county canvassing board shall  
18 complete the canvass and certify the results. Each absentee ballot  
19 that was returned before the closing of the polls (~~(on the date of the~~  
20 ~~primary or election for which it was issued)~~), and each absentee ballot  
21 (~~(with)~~) bearing a postmark on or before the date of the (~~(primary or)~~)  
22 election (~~(for which it was issued)~~) and received on or before the date  
23 on which the (~~(primary or)~~) election is certified, must be included in  
24 the canvass report.

25 (2) At the request of a caucus of the state legislature, the county  
26 auditor shall transmit copies of all unofficial returns of state and  
27 legislative primaries or elections prepared by or for the county  
28 canvassing board to either the secretary of the senate or the chief  
29 clerk of the house of representatives.

30 **Sec. 13.** RCW 27.12.355 and 1987 c 138 s 1 are each amended to read  
31 as follows:

32 (1) As provided in this section, a rural county library district,  
33 island library district, or intercounty rural library district may  
34 withdraw areas from its boundaries, or reannex areas into the library  
35 district that previously had been withdrawn from the library district  
36 under this section.

1           (2) The withdrawal of an area shall be authorized upon: (a)  
2 Adoption of a resolution by the board of trustees requesting the  
3 withdrawal and finding that, in the opinion of the board, inclusion of  
4 this area within the library district will result in a reduction of the  
5 district's tax levy rate under the provisions of RCW 84.52.010; and (b)  
6 adoption of a resolution by the city or town council approving the  
7 withdrawal, if the area is located within the city or town, or adoption  
8 of a resolution by the county legislative authority of the county  
9 within which the area is located approving the withdrawal, if the area  
10 is located outside of a city or town. A withdrawal shall be effective  
11 at the end of the day on the thirty-first day of December in the year  
12 in which the resolutions are adopted, but for purposes of establishing  
13 boundaries for property tax purposes, the boundaries shall be  
14 established immediately upon the adoption of the second resolution.

15           The authority of an area to be withdrawn from a library district as  
16 provided under this section is in addition, and not subject, to the  
17 provisions of RCW 27.12.380.

18           The withdrawal of an area from the boundaries of a library district  
19 shall not exempt any property therein from taxation for the purpose of  
20 paying the costs of redeeming any indebtedness of the library district  
21 existing at the time of the withdrawal.

22           (3) An area that has been withdrawn from the boundaries of a  
23 library district under this section may be reannexed into the library  
24 district upon: (a) Adoption of a resolution by the board of trustees  
25 proposing the reannexation; and (b) adoption of a resolution by the  
26 city or town council approving the reannexation, if the area is located  
27 within the city or town, or adoption of a resolution by the county  
28 legislative authority of the county within which the area is located  
29 approving the reannexation, if the area is located outside of a city or  
30 town. The reannexation shall be effective at the end of the day on the  
31 thirty-first day of December in the year in which the adoption of the  
32 second resolution occurs, but for purposes of establishing boundaries  
33 for property tax purposes, the boundaries shall be established  
34 immediately upon the adoption of the second resolution. Referendum  
35 action on the proposed reannexation may be taken by the voters of the  
36 area proposed to be reannexed if a petition calling for a referendum is  
37 filed with the city or town council, or county legislative authority,  
38 within a thirty-day period after the adoption of the second resolution,

1 which petition has been signed by registered voters of the area  
2 proposed to be reannexed equal in number to ten percent of the total  
3 number of the registered voters residing in that area.

4 If a valid petition signed by the requisite number of registered  
5 voters has been so filed, the effect of the resolutions shall be held  
6 in abeyance and a ballot proposition to authorize the reannexation  
7 shall be submitted to the voters of the area at the next special  
8 election date (~~((specified in RCW 29.13.020 that occurs forty five or  
9 more days after the petitions have been validated))~~) according to RCW  
10 29A.04.330. Approval of the ballot proposition authorizing the  
11 reannexation by a simple majority vote shall authorize the  
12 reannexation.

13 **Sec. 14.** RCW 27.12.370 and 1982 c 123 s 14 are each amended to  
14 read as follows:

15 The county legislative authority or authorities shall by resolution  
16 call a special election to be held in such city or town at the next  
17 special election date (~~((provided in RCW 29.13.010 but not less than  
18 forty five days from the date of the declaration of such finding))~~)  
19 according to RCW 29A.04.321, and shall cause notice of such election to  
20 be given as provided for in RCW (~~((29.27.080))~~) 29A.52.351.

21 The election on the annexation of the city or town into the library  
22 district shall be conducted by the auditor of the county or counties in  
23 which the city or town is located in accordance with the general  
24 election laws of the state and the results thereof shall be canvassed  
25 by the canvassing board of the county or counties. No person shall be  
26 entitled to vote at such election unless he or she is registered to  
27 vote in said city or town for at least thirty days preceding the date  
28 of the election. The ballot proposition shall be in substantially the  
29 following form:

30  
31 "Shall the city or town of . . . . . be annexed to and be  
32 a part of . . . . . library district?  
33 YES . . . . .   
34 NO . . . . .

35 If a majority of the persons voting on the proposition shall vote

1 in favor thereof, the city or town shall thereupon be annexed and shall  
2 be a part of such library district.

3 **Sec. 15.** RCW 35.02.086 and 1986 c 234 s 11 are each amended to  
4 read as follows:

5 Each candidate for a city or town elective position shall file a  
6 declaration of candidacy with the county auditor of the county in which  
7 all or the major portion of the city or town is located(~~(, not more~~  
8 ~~than forty five nor less than thirty days)) prior to the primary  
9 election at which the initial elected officials are nominated,  
10 according to RCW 29A.24.050. The elective positions shall be as  
11 provided in law for the type of city or town and form or plan of  
12 government specified in the petition to incorporate, and for the  
13 population of the city or town as determined by the county legislative  
14 authority or boundary review board where applicable. Any candidate may  
15 withdraw his or her declaration (~~(at any time within five days after~~  
16 ~~the last day allowed for filing declaration of candidacy)) according to  
17 RCW 29A.24.131. All names of candidates to be voted upon shall be  
18 printed upon the ballot alphabetically in groups under the designation  
19 of the respective titles of offices for which they are candidates.  
20 Names of candidates printed upon the ballot need not be rotated.~~~~

21 **Sec. 16.** RCW 35.06.070 and 1994 c 81 s 8 are each amended to read  
22 as follows:

23 A ballot proposition authorizing an advancement in classification  
24 of a town to a second class city shall be submitted to the voters of  
25 the town if either: (1) Petitions proposing the advancement are  
26 submitted to the town clerk that have been signed by voters of the town  
27 equal in number to at least ten percent of the voters of the town  
28 voting at the last municipal general election; or (2) the town council  
29 adopts a resolution proposing the advancement. The clerk shall  
30 immediately forward the petitions to the county auditor who shall  
31 review the signatures and certify the sufficiency of the petitions.

32 A ballot proposition authorizing an advancement shall be submitted  
33 to the town voters at the next (~~(municipal general)) special election~~  
34 (~~(occurring forty five or more days after the petitions are submitted))~~  
35 date according to RCW 29A.04.330 if the county auditor certifies the  
36 petitions as having sufficient valid signatures. The town shall be

1 advanced to a second class city if the ballot proposition is approved  
2 by a simple majority vote, effective when the corporation is actually  
3 reorganized and the new officers are elected and qualified. The county  
4 auditor shall notify the secretary of state if the advancement of a  
5 town to a second class city is approved.

6 **Sec. 17.** RCW 35.13.1821 and 1998 c 286 s 2 are each amended to  
7 read as follows:

8 The annexation ordinance provided for in RCW 35.13.182 is subject  
9 to referendum for forty-five days after its passage. Upon the filing  
10 of a timely and sufficient referendum petition with the legislative  
11 body, signed by qualified electors in number equal to not less than ten  
12 percent of the votes cast in the last general state election in the  
13 area to be annexed, the question of annexation shall be submitted to  
14 the voters of the area in a general election if one is to be held  
15 within ninety days or at a special election called for that purpose  
16 (~~not less than forty five days nor more than ninety days after the~~  
17 ~~filing of the referendum petition~~) according to RCW 29A.04.330.  
18 Notice of the election shall be given as provided in RCW 35.13.080 and  
19 the election shall be conducted as provided in the general election  
20 law. The annexation shall be deemed approved by the voters unless a  
21 majority of the votes cast on the proposition are in opposition  
22 thereto.

23 After the expiration of the forty-fifth day from but excluding the  
24 date of passage of the annexation ordinance, if no timely and  
25 sufficient referendum petition has been filed, the area annexed shall  
26 become a part of the city or town upon the date fixed in the ordinance  
27 of annexation.

28 **Sec. 18.** RCW 35.61.360 and 1987 c 138 s 2 are each amended to read  
29 as follows:

30 (1) As provided in this section, a metropolitan park district may  
31 withdraw areas from its boundaries, or reannex areas into the  
32 metropolitan park district that previously had been withdrawn from the  
33 metropolitan park district under this section.

34 (2) The withdrawal of an area shall be authorized upon: (a)  
35 Adoption of a resolution by the park district commissioners requesting  
36 the withdrawal and finding that, in the opinion of the commissioners,

1 inclusion of this area within the metropolitan park district will  
2 result in a reduction of the district's tax levy rate under the  
3 provisions of RCW 84.52.010; and (b) adoption of a resolution by the  
4 city or town council approving the withdrawal, if the area is located  
5 within the city or town, or adoption of a resolution by the county  
6 legislative authority of the county within which the area is located  
7 approving the withdrawal, if the area is located outside of a city or  
8 town. A withdrawal shall be effective at the end of the day on the  
9 thirty-first day of December in the year in which the resolutions are  
10 adopted, but for purposes of establishing boundaries for property tax  
11 purposes, the boundaries shall be established immediately upon the  
12 adoption of the second resolution.

13 The withdrawal of an area from the boundaries of a metropolitan  
14 park district shall not exempt any property therein from taxation for  
15 the purpose of paying the costs of redeeming any indebtedness of the  
16 metropolitan park district existing at the time of the withdrawal.

17 (3) An area that has been withdrawn from the boundaries of a  
18 metropolitan park district under this section may be reannexed into the  
19 metropolitan park district upon: (a) Adoption of a resolution by the  
20 park district commissioners proposing the reannexation; and (b)  
21 adoption of a resolution by the city or town council approving the  
22 reannexation, if the area is located within the city or town, or  
23 adoption of a resolution by the county legislative authority of the  
24 county within which the area is located approving the reannexation, if  
25 the area is located outside of a city or town. The reannexation shall  
26 be effective at the end of the day on the thirty-first day of December  
27 in the year in which the adoption of the second resolution occurs, but  
28 for purposes of establishing boundaries for property tax purposes, the  
29 boundaries shall be established immediately upon the adoption of the  
30 second resolution. Referendum action on the proposed reannexation may  
31 be taken by the voters of the area proposed to be reannexed if a  
32 petition calling for a referendum is filed with the city or town  
33 council, or county legislative authority, within a thirty-day period  
34 after the adoption of the second resolution, which petition has been  
35 signed by registered voters of the area proposed to be reannexed equal  
36 in number to ten percent of the total number of the registered voters  
37 residing in that area.

1        If a valid petition signed by the requisite number of registered  
2 voters has been so filed, the effect of the resolutions shall be held  
3 in abeyance and a ballot proposition to authorize the reannexation  
4 shall be submitted to the voters of the area at the next special  
5 election date (~~specified in RCW 29.13.020 that occurs forty five or~~  
6 ~~more days after the petitions have been validated~~) according to RCW  
7 29A.04.330. Approval of the ballot proposition authorizing the  
8 reannexation by a simple majority vote shall authorize the  
9 reannexation.

10        **Sec. 19.** RCW 35A.14.299 and 1967 ex.s. c 119 s 35A.14.299 are each  
11 amended to read as follows:

12        Such annexation ordinance as provided for in RCW 35A.14.297 shall  
13 be subject to referendum for forty-five days after the passage thereof.  
14 Upon the filing of a timely and sufficient referendum petition with the  
15 legislative body, signed by qualified electors in number equal to not  
16 less than ten percent of the votes cast in the last general state  
17 election in the area to be annexed, the question of annexation shall be  
18 submitted to the voters of such area in a general election if one is to  
19 be held within ninety days or at a special election called for that  
20 purpose (~~not less than forty five days nor more than ninety days after~~  
21 ~~the filing of the referendum petition~~) according to RCW 29A.04.330.  
22 Notice of such election shall be given as provided in RCW 35A.14.070  
23 and the election shall be conducted as provided in RCW (~~35A.14.060~~)  
24 35A.29.151. The annexation shall be deemed approved by the voters  
25 unless a majority of the votes cast on the proposition are in  
26 opposition thereto.

27        After the expiration of the forty-fifth day from but excluding the  
28 date of passage of the annexation ordinance, if no timely and  
29 sufficient referendum petition has been filed, the area annexed shall  
30 become a part of the code city upon the date fixed in the ordinance of  
31 annexation. From and after such date, if the ordinance so provided,  
32 property in the annexed area shall be subject to the proposed zoning  
33 regulation prepared and filed for such area as provided in RCW  
34 35A.14.330 and 35A.14.340. If the ordinance so provided, all property  
35 within the area annexed shall be assessed and taxed at the same rate  
36 and on the same basis as the property of such annexing code city is

1 assessed and taxed to pay for any then outstanding indebtedness of such  
2 city contracted prior to, or existing at, the date of annexation.

3 **Sec. 20.** RCW 36.93.030 and 1991 c 363 s 91 are each amended to  
4 read as follows:

5 (1) There is hereby created and established in each county with a  
6 population of two hundred ten thousand or more a board to be known and  
7 designated as a "boundary review board".

8 (2) A boundary review board may be created and established in any  
9 other county in the following manner:

10 (a) The county legislative authority may, by majority vote, adopt  
11 a resolution establishing a boundary review board; or

12 (b) A petition seeking establishment of a boundary review board  
13 signed by qualified electors residing in the county equal in number to  
14 at least five percent of the votes cast in the county at the last  
15 county general election may be filed with the county auditor.

16 Upon the filing of such a petition, the county auditor shall  
17 examine the same and certify to the sufficiency of the signatures  
18 thereon. No person may withdraw his or her name from a petition after  
19 it has been filed with the auditor. Within thirty days after the  
20 filing of such petition, the county auditor shall transmit the same to  
21 the county legislative authority, together with his or her certificate  
22 of sufficiency.

23 After receipt of a valid petition for the establishment of a  
24 boundary review board, the county legislative authority shall submit  
25 the question of whether a boundary review board should be established  
26 to the electorate at the next ((county)) primary or ((county)) general  
27 election ((which occurs more than forty five days from the date of  
28 receipt of the petition)) according to RCW 29A.04.321. Notice of the  
29 election shall be given as provided in RCW ((29.27.080)) 29A.52.351 and  
30 shall include a clear statement of the proposal to be submitted.

31 If a majority of the persons voting on the proposition shall vote  
32 in favor of the establishment of the boundary review board, such board  
33 shall thereupon be deemed established.

34 **Sec. 21.** RCW 42.12.040 and 2005 c 2 s 15 (Initiative Measure No.  
35 872) are each amended to read as follows:

36 (1) If a vacancy occurs in any partisan elective office in the

1 executive or legislative branches of state government or in any  
2 partisan county elective office before the (~~sixth~~) eleventh Tuesday  
3 prior to the next general election following the occurrence of the  
4 vacancy, a successor shall be elected to that office at that general  
5 election. Except during the last year of the term of office, if such  
6 a vacancy occurs on or after the (~~sixth~~) eleventh Tuesday prior to  
7 the general election, the election of the successor shall occur at the  
8 next succeeding general election. The elected successor shall hold  
9 office for the remainder of the unexpired term. This section shall not  
10 apply to any vacancy occurring in a charter county that has charter  
11 provisions inconsistent with this section.

12 (2) If a vacancy occurs in any legislative office or in any  
13 partisan county office after the general election in a year that the  
14 position appears on the ballot and before the start of the next term,  
15 the term of the successor who is of the same party as the incumbent may  
16 commence once he or she has qualified as defined in RCW 29A.04.133 and  
17 shall continue through the term for which he or she was elected.

18 **Sec. 22.** RCW 42.17.080 and 2002 c 75 s 2 are each amended to read  
19 as follows:

20 (1) On the day the treasurer is designated, each candidate or  
21 political committee shall file with the commission and the county  
22 auditor or elections officer of the county in which the candidate  
23 resides, or in the case of a political committee, the county in which  
24 the treasurer resides, in addition to any statement of organization  
25 required under RCW 42.17.040 or 42.17.050, a report of all  
26 contributions received and expenditures made prior to that date, if  
27 any.

28 (2) At the following intervals each treasurer shall file with the  
29 commission and the county auditor or elections officer of the county in  
30 which the candidate resides, or in the case of a political committee,  
31 the county in which the committee maintains its office or headquarters,  
32 and if there is no office or headquarters then in the county in which  
33 the treasurer resides, a report containing the information required by  
34 RCW 42.17.090:

35 (a) On the twenty-first day and the seventh day immediately  
36 preceding the date on which the election is held; and

1 (b) On the tenth day of the first month after the election(~~(+~~  
2 ~~PROVIDED, That this report shall not be required following a primary~~  
3 ~~election from:~~

4 ~~(i) A candidate whose name will appear on the subsequent general~~  
5 ~~election ballot; or~~

6 ~~(ii) Any continuing political committee)); and~~

7 (c) On the tenth day of each month in which no other reports are  
8 required to be filed under this section: PROVIDED, That such report  
9 shall only be filed if the committee has received a contribution or  
10 made an expenditure in the preceding calendar month and either the  
11 total contributions received or total expenditures made since the last  
12 such report exceed two hundred dollars.

13 When there is no outstanding debt or obligation, and the campaign  
14 fund is closed, and the campaign is concluded in all respects, and in  
15 the case of a political committee, the committee has ceased to function  
16 and has dissolved, the treasurer shall file a final report. Upon  
17 submitting a final report, the duties of the treasurer shall cease and  
18 there shall be no obligation to make any further reports.

19 The report filed twenty-one days before the election shall report  
20 all contributions received and expenditures made as of the end of the  
21 fifth business day before the date of the report. The report filed  
22 seven days before the election shall report all contributions received  
23 and expenditures made as of the end of the one business day before the  
24 date of the report. Reports filed on the tenth day of the month shall  
25 report all contributions received and expenditures made from the  
26 closing date of the last report filed through the last day of the month  
27 preceding the date of the current report.

28 (3) For the period beginning the first day of the fourth month  
29 preceding the date on which the special (~~or general~~) election is  
30 held, or for the period beginning the first day of the fifth month  
31 before the date on which the general election is held, and ending on  
32 the date of that special or general election, each Monday the treasurer  
33 shall file with the commission and the appropriate county elections  
34 officer a report of each bank deposit made during the previous seven  
35 calendar days. The report shall contain the name of each person  
36 contributing the funds so deposited and the amount contributed by each  
37 person. However, contributions of no more than twenty-five dollars in  
38 the aggregate from any one person may be deposited without identifying

1 the contributor. A copy of the report shall be retained by the  
2 treasurer for his or her records. In the event of deposits made by a  
3 deputy treasurer, the copy shall be forwarded to the treasurer for his  
4 or her records. Each report shall be certified as correct by the  
5 treasurer or deputy treasurer making the deposit.

6 (4) If a city requires that candidates or committees for city  
7 offices file reports with a city agency, the candidate or treasurer so  
8 filing need not also file the report with the county auditor or  
9 elections officer.

10 (5) The treasurer or candidate shall maintain books of account  
11 accurately reflecting all contributions and expenditures on a current  
12 basis within five business days of receipt or expenditure. During the  
13 eight days immediately preceding the date of the election the books of  
14 account shall be kept current within one business day. As specified in  
15 the committee's statement of organization filed under RCW 42.17.040,  
16 the books of account must be open for public inspection as follows:

17 (a) For at least two consecutive hours between 8:00 a.m. and 8:00  
18 p.m. on the eighth day immediately before the election, except when it  
19 is a legal holiday, in which case on the seventh day immediately before  
20 the election, at the principal headquarters or, if there is no  
21 headquarters, at the address of the treasurer or such other place as  
22 may be authorized by the commission; and

23 (b) By appointment for inspections to be conducted at the  
24 designated place for inspections between 8:00 a.m. and 8:00 p.m. on any  
25 other day from the seventh day through the day immediately before the  
26 election, other than Saturday, Sunday, or a legal holiday. It is a  
27 violation of this chapter for a candidate or political committee to  
28 refuse to allow and keep an appointment for an inspection to be  
29 conducted during these authorized times and days in the week prior to  
30 the election. The appointment must be allowed at an authorized time  
31 and day for such inspections that is within twenty-four hours of the  
32 time and day that is requested for the inspection.

33 (6) The treasurer or candidate shall preserve books of account,  
34 bills, receipts, and all other financial records of the campaign or  
35 political committee for not less than five calendar years following the  
36 year during which the transaction occurred.

37 (7) All reports filed pursuant to subsection (1) or (2) of this

1 section shall be certified as correct by the candidate and the  
2 treasurer.

3 (8) Copies of all reports filed pursuant to this section shall be  
4 readily available for public inspection for at least two consecutive  
5 hours Monday through Friday, excluding legal holidays, between 8:00  
6 a.m. and 8:00 p.m., as specified in the committee's statement of  
7 organization filed pursuant to RCW 42.17.040, at the principal  
8 headquarters or, if there is no headquarters, at the address of the  
9 treasurer or such other place as may be authorized by the commission.

10 (9) After January 1, 2002, a report that is filed with the  
11 commission electronically need not also be filed with the county  
12 auditor or elections officer.

13 (10) The commission shall adopt administrative rules establishing  
14 requirements for filer participation in any system designed and  
15 implemented by the commission for the electronic filing of reports.

16 **Sec. 23.** RCW 42.17.710 and 2003 c 164 s 3 are each amended to read  
17 as follows:

18 (1) During the period beginning on (~~the thirtieth day~~) December  
19 24th before the date a regular legislative session convenes and  
20 continuing (~~thirty days past~~) through the date of final adjournment,  
21 and during the period beginning on the date a special legislative  
22 session convenes and continuing through the date that session adjourns,  
23 no state official or a person employed by or acting on behalf of a  
24 state official or state legislator may solicit or accept contributions  
25 to a public office fund, to a candidate or authorized committee, or to  
26 retire a campaign debt.

27 (2) This section does not apply to activities authorized in RCW  
28 43.07.370.

29 **Sec. 24.** RCW 52.02.080 and 1989 c 63 s 6 are each amended to read  
30 as follows:

31 The election on the formation of the district and to elect the  
32 initial fire commissioners shall be conducted by the election officials  
33 of the county or counties in which the proposed district is located in  
34 accordance with the general election laws of the state. This election  
35 shall be held at the next general election date(~~, as specified under~~  
36 RCW 29.13.020) according to RCW 29A.04.321 and 29A.04.330, that occurs

1 (~~forty five or more days~~) after the date of the action by the  
2 boundary review board, or county legislative authority or authorities,  
3 approving the proposal.

4 **Sec. 25.** RCW 52.04.056 and 1989 c 63 s 11 are each amended to read  
5 as follows:

6 (1) As provided in this section, a fire protection district may  
7 withdraw areas from its boundaries, or reannex areas into the fire  
8 protection district that previously had been withdrawn from the fire  
9 protection district under this section.

10 (2) The withdrawal of an area shall be authorized upon: (a)  
11 Adoption of a resolution by the board of fire commissioners requesting  
12 the withdrawal and finding that, in the opinion of the board, inclusion  
13 of this area within the fire protection district will result in a  
14 reduction of the district's tax levy rate under the provisions of RCW  
15 84.52.010; and (b) adoption of a resolution by the city or town council  
16 approving the withdrawal, if the area is located within the city or  
17 town, or adoption of a resolution by the county legislative authority  
18 or authorities of the county or counties within which the area is  
19 located approving the withdrawal, if the area is located outside of a  
20 city or town. A withdrawal shall be effective at the end of the day on  
21 the thirty-first day of December in the year in which the resolutions  
22 are adopted, but for purposes of establishing boundaries for property  
23 tax purposes, the boundaries shall be established immediately upon the  
24 adoption of the second resolution.

25 The authority of an area to be withdrawn from a fire protection  
26 district as provided under this section is in addition, and not  
27 subject, to the provisions of RCW 52.04.101.

28 The withdrawal of an area from the boundaries of a fire protection  
29 district shall not exempt any property therein from taxation for the  
30 purpose of paying the costs of redeeming any indebtedness of the fire  
31 protection district existing at the time of the withdrawal.

32 (3) An area that has been withdrawn from the boundaries of a fire  
33 protection district under this section may be reannexed into the fire  
34 protection district upon: (a) Adoption of a resolution by the board of  
35 fire commissioners proposing the reannexation; and (b) adoption of a  
36 resolution by the city or town council approving the reannexation, if  
37 the area is located within the city or town, or adoption of a

1 resolution by the county legislative authority or authorities of the  
2 county or counties within which the area is located approving the  
3 reannexation, if the area is located outside of a city or town. The  
4 reannexation shall be effective at the end of the day on the thirty-  
5 first day of December in the year in which the adoption of the second  
6 resolution occurs, but for purposes of establishing boundaries for  
7 property tax purposes, the boundaries shall be established immediately  
8 upon the adoption of the second resolution. Referendum action on the  
9 proposed reannexation may be taken by the voters of the area proposed  
10 to be reannexed if a petition calling for a referendum is filed with  
11 the city or town council, or county legislative authority or  
12 authorities, within a thirty-day period after the adoption of the  
13 second resolution, which petition has been signed by registered voters  
14 of the area proposed to be reannexed equal in number to ten percent of  
15 the total number of the registered voters residing in that area.

16 If a valid petition signed by the requisite number of registered  
17 voters has been so filed, the effect of the resolutions shall be held  
18 in abeyance and a ballot proposition to authorize the reannexation  
19 shall be submitted to the voters of the area at the next special  
20 election date (~~((specified in RCW 29.13.020 that occurs forty five or  
21 more days after the petitions have been validated))~~) according to RCW  
22 29A.04.330. Approval of the ballot proposition authorizing the  
23 reannexation by a simple majority vote shall authorize the  
24 reannexation.

25 **Sec. 26.** RCW 52.04.071 and 1984 c 230 s 16 are each amended to  
26 read as follows:

27 The county legislative authority or authorities shall by resolution  
28 call a special election to be held in the city or town and in the fire  
29 protection district at the next date (~~((provided in RCW 29.13.010 but  
30 not less than forty five days from the date of the declaration of the  
31 finding))~~) according to RCW 29A.04.321, and shall cause notice of the  
32 election to be given as provided for in RCW (~~(29.27.080)~~) 29A.52.351.

33 The election on the annexation of the city or town into the fire  
34 protection district shall be conducted by the auditor of the county or  
35 counties in which the city or town and the fire protection district are  
36 located in accordance with the general election laws of the state. The  
37 results thereof shall be canvassed by the canvassing board of the

1 county or counties. No person is entitled to vote at the election  
2 unless he or she is a qualified elector in the city or town or unless  
3 he or she is a qualified elector within the boundaries of the fire  
4 protection district. The ballot proposition shall be in substantially  
5 the following form:

6 "Shall the city or town of . . . . . be annexed to and be a part  
7 of . . . . . fire protection district?

8 YES . . . . .

9 NO . . . . . "

10 If a majority of the persons voting on the proposition in the city  
11 or town and a majority of the persons voting on the proposition in the  
12 fire protection district vote in favor thereof, the city or town shall  
13 be annexed and shall be a part of the fire protection district.

14 **Sec. 27.** RCW 53.04.110 and 1998 c 240 s 1 are each amended to read  
15 as follows:

16 Any port district now existing or which may hereafter be organized  
17 under the laws of the state of Washington is hereby authorized to  
18 change its corporate name under the following conditions and in the  
19 following manner:

20 (1) On presentation(~~(, at least forty five days before any general~~  
21 ~~port election to be held in the port district,)~~) of a petition to the  
22 commissioners of any port district now existing or which may hereafter  
23 be established under the laws of the state of Washington, signed by at  
24 least ten percent of the total number of voters of the port district  
25 who voted at the last general port election and asking that the  
26 corporate name of the port district be changed, it shall be the duty of  
27 the commissioners to submit to the voters of the port district the  
28 proposition as to whether the corporate name of the port shall be  
29 changed. The proposition shall be submitted at the next general port  
30 election according to RCW 29A.04.330.

31 (2) The petition shall contain the present corporate name of the  
32 port district and the corporate name which is proposed to be given to  
33 the port district.

34 (3) On submitting the proposition to the voters of the port  
35 district it shall be the duty of the port commissioners to cause to be

1 printed on the official ballot used at the election the following  
2 proposition:

3 "Shall the corporate name, 'Port of .....' be  
4 changed to 'Port of .....'. YES  
5 "Shall the corporate name, 'Port of .....' be  
6 changed to 'Port of .....'. NO"

7 (4) At the time when the returns of the general election shall be  
8 canvassed by the commissioners of the port district, it shall be the  
9 duty of the commissioners to canvass the vote upon the proposition so  
10 submitted, recording in their record the result of the canvass.

11 (5) Should a majority of the registered voters of the port district  
12 voting at the general port election vote in favor of the proposition it  
13 shall be the duty of the port commissioners to certify the fact to the  
14 auditor of the county in which the port district shall be situated and  
15 to the secretary of state of the state of Washington, under the seal of  
16 the port district. On and after the filing of the certificate with the  
17 county auditor as aforesaid and with the secretary of state of the  
18 state of Washington, the corporate name of the port district shall be  
19 changed, and thenceforth the port district shall be known and  
20 designated in accordance therewith.

21 **Sec. 28.** RCW 54.08.010 and 1985 c 469 s 55 are each amended to  
22 read as follows:

23 At any general election held in an even-numbered year, the county  
24 legislative authority of any county in this state may, or, on petition  
25 of ten percent of the qualified electors of the county based on the  
26 total vote cast in the last general county election held in an even-  
27 numbered year, shall, by resolution, submit to the voters of the county  
28 the proposition of creating a public utility district which shall be  
29 coextensive with the limits of the county as now or hereafter  
30 established. A form of petition for the creation of a public utility  
31 district shall be submitted to the county auditor within ten months  
32 prior to the election at which the proposition is to be submitted to  
33 the voters. Petitions shall be filed with the county auditor not less  
34 than four months before the election and the county auditor shall  
35 within thirty days examine the signatures thereof and certify to the  
36 sufficiency or insufficiency thereof. If the petition be found to be

1 insufficient, it shall be returned to the persons filing the same, who  
2 may amend or add names thereto for ten days, when the same shall be  
3 returned to the county auditor, who shall have an additional fifteen  
4 days to examine the same and attach his certificate thereto. No person  
5 having signed the petition shall be allowed to withdraw his name  
6 therefrom after the filing of the same with the county auditor:  
7 PROVIDED, That each signature shall be dated and that no signature  
8 dated prior to the date on which the form of petition was submitted to  
9 the county auditor shall be valid. Whenever the petition shall be  
10 certified to as sufficient, the county auditor shall forthwith transmit  
11 the same, together with his certificate of sufficiency attached  
12 thereto, to the county legislative authority which shall submit the  
13 proposition to the voters of the county at the next general election in  
14 an even-numbered year (~~occurring forty five days after submission of~~  
15 ~~the proposition to the legislative authority~~) according to RCW  
16 29A.04.330. The notice of the election shall state the boundaries of  
17 the proposed public utility district and the object of such election,  
18 and shall in other respects conform to the requirements of the general  
19 laws of the state of Washington, governing the time and manner of  
20 holding elections. In submitting the question to the voters for their  
21 approval or rejection, the proposition shall be expressed on the ballot  
22 substantially in the following terms:

- 23       Public Utility District No. . . . . YES   
24       Public Utility District No. . . . . NO

25       Any petition for the formation of a public utility district may  
26 describe a less area than the entire county in which the petition is  
27 filed, the boundaries of which shall follow the then existing precinct  
28 boundaries and not divide any voting precinct; and in the event that  
29 such a petition is filed the county legislative authority shall fix a  
30 date for a hearing on such petition, and shall publish the petition,  
31 without the signatures thereto appended, for two weeks prior to the  
32 date of the hearing, together with a notice stating the time of the  
33 meeting when the petition will be heard. The publication, and all  
34 other publications required by chapter 1, Laws of 1931, shall be in a  
35 newspaper of general circulation in the county in which the district is  
36 situated. The hearing on the petition may be adjourned from time to  
37 time, not exceeding four weeks in all. If upon the final hearing the  
38 county legislative authority shall find that any lands have been

1 unjustly or improperly included within the proposed public utility  
2 district and will not be benefited by inclusion therein, it shall  
3 change and fix the boundary lines in such manner as it shall deem  
4 reasonable and just and conducive to the public welfare and  
5 convenience, and make and enter an order establishing and defining the  
6 boundary lines of the proposed public utility district: PROVIDED, That  
7 no lands shall be included within the boundaries so fixed lying outside  
8 the boundaries described in the petition, except upon the written  
9 request of the owners of those lands. Thereafter the same procedure  
10 shall be followed as prescribed in this chapter for the formation of a  
11 public utility district including an entire county, except that the  
12 petition and election shall be confined solely to the lesser public  
13 utility district.

14 No public utility district created after September 1, 1979, shall  
15 include any other public utility district within its boundaries:  
16 PROVIDED, That this paragraph shall not alter, amend, or modify  
17 provisions of chapter 54.32 RCW.

18 **Sec. 29.** RCW 54.08.070 and 1979 ex.s. c 240 s 2 are each amended  
19 to read as follows:

20 Any district which does not own or operate electric facilities for  
21 the generation, transmission or distribution of electric power on March  
22 25, 1969, or any district which hereafter does not construct or acquire  
23 such electric facilities within ten years of its creation, shall not  
24 construct or acquire any such electric facilities without the approval  
25 of such proposal by the voters of such district: PROVIDED, That a  
26 district shall have the power to construct or acquire electric  
27 facilities within ten years following its creation by action of its  
28 commission without voter approval of such action.

29 At any general election held in an even-numbered year, the proposal  
30 to construct or acquire electric facilities may be submitted to the  
31 voters of the district by resolution of the public utility district  
32 commission or shall be submitted to the voters of the district by the  
33 county legislative authority on petition of ten percent of the  
34 qualified electors of such district, based on the total vote cast in  
35 the last general county election held in an even-numbered year. A form  
36 of petition for the construction or acquisition of electric facilities  
37 by the public utility district shall be submitted to the county auditor

1 within ten months prior to the election at which such proposition is to  
2 be submitted to the voters. Petitions shall be filed with the county  
3 auditor not less than four months before such election and the county  
4 auditor shall within thirty days examine the signatures thereof and  
5 certify to the sufficiency or insufficiency thereof. If such petition  
6 is found to be insufficient, it shall be returned to the persons filing  
7 the same, who may amend and add names thereto for ten days, when the  
8 same shall be returned to the county auditor, who shall have an  
9 additional fifteen days to examine the same and attach his certificate  
10 thereto. No person having signed such petition shall be allowed to  
11 withdraw his name therefrom after the filing of the same with the  
12 county auditor: PROVIDED, That each signature shall be dated and that  
13 no signature dated prior to the date on which the form of petition was  
14 submitted to the county auditor shall be valid. Whenever such petition  
15 shall be certified to as sufficient, the county auditor shall forthwith  
16 transmit the same, together with his certificate of sufficiency  
17 attached thereto, to the county legislative authority which shall  
18 submit such proposition to the voters of said district at the next  
19 general election in an even-numbered year (~~occurring forty five days~~  
20 ~~after submission of the proposition to said legislative authority~~)  
21 according to RCW 29A.04.330. The notice of the election shall state  
22 the object of such election, and shall in other respects conform to the  
23 requirements of the general laws of Washington, governing the time and  
24 manner of holding elections.

25 The proposal submitted to the voters for their approval or  
26 rejection, shall be expressed on the ballot substantially in the  
27 following terms:

28 Shall Public Utility District No. . . . . of . . . . . County  
29 construct or acquire electric facilities for the generation,  
30 transmission or distribution of electric power?

31 Yes   
32 No

33 Within ten days after such election, the election board of the  
34 county shall canvass the returns, and if at such election a majority of  
35 the voters voting on such proposition shall vote in favor of such  
36 construction or acquisition of electric facilities, the district shall  
37 be authorized to construct or acquire electric facilities.

1       **Sec. 30.** RCW 57.04.050 and 1999 c 153 s 1 are each amended to read  
2 as follows:

3       Upon entry of the findings of the final hearing on the petition if  
4 one or more county legislative authorities find that the proposed  
5 district will be conducive to the public health, welfare, and  
6 convenience and will benefit the land therein, they shall present a  
7 resolution to the county auditor calling for a special election to be  
8 held at a date (~~(specified under RCW 29.13.020, that occurs forty five~~  
9 ~~or more days after the resolution is presented)) according to RCW  
10 29A.04.330, at which a ballot proposition authorizing the district to  
11 be created shall be submitted to voters for their approval or  
12 rejection. The commissioners shall cause to be published a notice of  
13 the election for four successive weeks in a newspaper of general  
14 circulation in the proposed district, which notice shall state the  
15 hours during which the polls will be open, the boundaries of the  
16 district as finally adopted and the object of the election, and the  
17 notice shall also be posted ten days in ten public places in the  
18 proposed district. The district shall be created if the ballot  
19 proposition authorizing the district to be created is approved by a  
20 majority of the voters voting on the proposition.~~

21       A separate ballot proposition authorizing the district, if created,  
22 to impose a single-year excess levy for the preliminary expenses of the  
23 district shall be submitted to voters for their approval or rejection  
24 at the same special election, if the petition to create the district  
25 also proposed that a ballot proposition authorizing an excess levy be  
26 submitted to voters for their approval or rejection. The excess levy  
27 shall be proposed in the amount specified in the petition to create the  
28 district, not to exceed one dollar and twenty-five cents per thousand  
29 dollars of assessed value, and may only be submitted to voters for  
30 their approval or rejection if the special election is held in  
31 February, March, April, or May. The proposition to be effective must  
32 be approved in the manner set forth in Article VII, section 2(a) of the  
33 state Constitution.

34       **Sec. 31.** RCW 70.44.235 and 1987 c 138 s 4 are each amended to read  
35 as follows:

36       (1) As provided in this section, a public hospital district may

1 withdraw areas from its boundaries, or reannex areas into the public  
2 hospital district that previously had been withdrawn from the public  
3 hospital district under this section.

4 (2) The withdrawal of an area shall be authorized upon: (a)  
5 Adoption of a resolution by the hospital district commissioners  
6 requesting the withdrawal and finding that, in the opinion of the  
7 commissioners, inclusion of this area within the public hospital  
8 district will result in a reduction of the district's tax levy rate  
9 under the provisions of RCW 84.52.010; and (b) adoption of a resolution  
10 by the city or town council approving the withdrawal, if the area is  
11 located within the city or town, or adoption of a resolution by the  
12 county legislative authority of the county within which the area is  
13 located approving the withdrawal, if the area is located outside of a  
14 city or town. A withdrawal shall be effective at the end of the day on  
15 the thirty-first day of December in the year in which the resolutions  
16 are adopted, but for purposes of establishing boundaries for property  
17 tax purposes, the boundaries shall be established immediately upon the  
18 adoption of the second resolution.

19 The withdrawal of an area from the boundaries of a public hospital  
20 district shall not exempt any property therein from taxation for the  
21 purpose of paying the costs of redeeming any indebtedness of the public  
22 hospital district existing at the time of the withdrawal.

23 (3) An area that has been withdrawn from the boundaries of a public  
24 hospital district under this section may be reannexed into the public  
25 hospital district upon: (a) Adoption of a resolution by the hospital  
26 district commissioners proposing the reannexation; and (b) adoption of  
27 a resolution by the city or town council approving the reannexation, if  
28 the area is located within the city or town, or adoption of a  
29 resolution by the county legislative authority of the county within  
30 which the area is located approving the reannexation, if the area is  
31 located outside of a city or town. The reannexation shall be effective  
32 at the end of the day on the thirty-first day of December in the year  
33 in which the adoption of the second resolution occurs, but for purposes  
34 of establishing boundaries for property tax purposes, the boundaries  
35 shall be established immediately upon the adoption of the second  
36 resolution. Referendum action on the proposed reannexation may be  
37 taken by the voters of the area proposed to be reannexed if a petition  
38 calling for a referendum is filed with the city or town council, or

1 county legislative authority, within a thirty-day period after the  
2 adoption of the second resolution, which petition has been signed by  
3 registered voters of the area proposed to be reannexed equal in number  
4 to ten percent of the total number of the registered voters residing in  
5 that area.

6 If a valid petition signed by the requisite number of registered  
7 voters has been so filed, the effect of the resolutions shall be held  
8 in abeyance and a ballot proposition to authorize the reannexation  
9 shall be submitted to the voters of the area at the next special  
10 election date (~~(specified in RCW 29.13.020 that occurs forty five or~~  
11 ~~more days after the petitions have been validated)) according to RCW  
12 29A.04.330. Approval of the ballot proposition authorizing the  
13 reannexation by a simple majority vote shall authorize the  
14 reannexation.~~

15 NEW SECTION. **Sec. 32.** The following acts or parts of acts are  
16 each repealed:

- 17 (1) RCW 29A.04.158 (September primary) and 2004 c 271 s 187;
- 18 (2) RCW 29A.04.311 (Primaries) and 2004 c 271 s 105;
- 19 (3) RCW 29A.24.031 (Declaration of candidacy) and 2004 c 271 s 158;
- 20 and
- 21 (4) RCW 29A.24.211 (Lapse of election when no filing for single  
22 positions--Effect) and 2004 c 271 s 116.

23 NEW SECTION. **Sec. 33.** This act takes effect January 1, 2006.

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