
HOUSE BILL 2525

State of Washington

59th Legislature

2006 Regular Session

By Representatives Nixon and Talcott

Read first time 01/10/2006. Referred to Committee on State Government Operations & Accountability.

1 AN ACT Relating to dates for special elections; and amending RCW
2 29A.04.321 and 29A.04.330.

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

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

6 (1) All state, county, city, town, and district general elections
7 for the election of federal, state, legislative, judicial, county,
8 city, town, and district officers, and for the submission to the voters
9 of the state, county, city, town, or district of any measure for their
10 adoption and approval or rejection, shall be held on the first Tuesday
11 after the first Monday of November, in the year in which they may be
12 called. A statewide general election shall be held on the first
13 Tuesday after the first Monday of November of each year. However, the
14 statewide general election held in odd-numbered years shall be limited
15 to (a) city, town, and district general elections as provided for in
16 RCW 29A.04.330, or as otherwise provided by law; (b) the election of
17 federal officers for the remainder of any unexpired terms in the
18 membership of either branch of the Congress of the United States; (c)
19 the election of state and county officers for the remainder of any

1 unexpired terms of offices created by or whose duties are described in
2 Article II, section 15, Article III, sections 16, 17, 19, 20, 21, 22,
3 and 23, and Article IV, sections 3 and 5 of the state Constitution and
4 RCW 2.06.080; (d) the election of county officers in any county
5 governed by a charter containing provisions calling for general county
6 elections at this time; and (e) the approval or rejection of state
7 measures, including proposed constitutional amendments, matters
8 pertaining to any proposed constitutional convention, initiative
9 measures and referendum measures proposed by the electorate, referendum
10 bills, and any other matter provided by the legislature for submission
11 to the electorate.

12 (2) A county legislative authority may, if it deems an emergency to
13 exist, call a special county election by presenting a resolution to the
14 county auditor at least forty-five days prior to the proposed election
15 date. Bond and levy votes are not emergencies that qualify to be held
16 on a special election date except as provided for in subsection (3) of
17 this section. Except as provided in subsection (4) of this section, a
18 special election called by the county legislative authority shall be
19 held on one of the following dates as decided by such governing body:

- 20 (a) The first Tuesday after the first Monday in February;
21 (b) ~~((The second Tuesday in March;~~
22 ~~(c) The fourth Tuesday in April;~~
23 ~~(d))~~ The third Tuesday in May;
24 ~~((e))~~ (c) The day of the primary as specified by RCW 29A.04.311;
25 or

26 ~~((f))~~ (d) The first Tuesday after the first Monday in November.

27 (3) In addition to the dates set forth in subsection (2)(a) through
28 ~~((f))~~ (d) of this section, a special election to validate an excess
29 levy or bond issue may be called at any time to meet the needs
30 resulting from fire, flood, earthquake, or other act of God. Such
31 county special election shall be noticed and conducted in the manner
32 provided by law.

33 (4) In a presidential election year, if a presidential preference
34 primary is conducted in February~~((, March, April,))~~ or May under
35 chapter 29A.56 RCW, the date on which a special election may be called
36 by the county legislative authority under subsection (2) of this
37 section during the month of that primary is the date of the
38 presidential primary.

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

9 **Sec. 2.** RCW 29A.04.330 and 2004 c 266 s 6 are each amended to read
10 as follows:

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

14 This section shall not apply to:

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

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

20 (c) Consolidation proposals as provided for in RCW 28A.315.235 and
21 nonhigh capital fund aid proposals as provided for in chapter 28A.540
22 RCW.

23 (2) The county auditor, as ex officio supervisor of elections, upon
24 request in the form of a resolution of the governing body of a city,
25 town, or district, presented to the auditor at least forty-five days
26 prior to the proposed election date, may, if the county auditor deems
27 an emergency to exist, call a special election in such city, town, or
28 district, and for the purpose of such special election he or she may
29 combine, unite, or divide precincts. Except as provided in subsection
30 (3) of this section, such a special election shall be held on one of
31 the following dates as decided by the governing body:

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

33 (b) ~~((The second Tuesday in March;~~

34 ~~(c) The fourth Tuesday in April;~~

35 ~~(d))~~ The third Tuesday in May;

36 ~~((e))~~ (c) The day of the primary election as specified by RCW
37 ~~((29A.04.310))~~ 29A.04.311; or

1 (~~(f)~~) (d) The first Tuesday after the first Monday in November.

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

7 (4) In addition to subsection (2)(a) through (~~(f)~~) (d) of this
8 section, a special election to validate an excess levy or bond issue
9 may be called at any time to meet the needs resulting from fire, flood,
10 earthquake, or other act of God, except that no special election may be
11 held between the first day for candidates to file for public office and
12 the last day to certify the returns of the general election other than
13 as provided in subsection (2)(~~(e)~~) (c) and (~~(f)~~) (d) of this
14 section. Such special election shall be conducted and notice thereof
15 given in the manner provided by law.

16 (5) This section shall supersede the provisions of any and all
17 other statutes, whether general or special in nature, having different
18 dates for such city, town, and district elections, the purpose of this
19 section being to establish mandatory dates for holding elections.

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