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SENATE BILL 5464

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State of Washington

59th Legislature

2005 Regular Session

By Senators Rasmussen, Brandland, Kline, Spanel, Haugen, Rockefeller and Shin

Read first time 01/26/2005. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to nonpartisan sheriffs; amending RCW 29A.52.111,  
2 29A.52.210, 29A.52.220, and 29A.52.231; and adding a new section to  
3 chapter 36.28 RCW.

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

5 **Sec. 1.** RCW 29A.52.111 and 2004 c 271 s 173 are each amended to  
6 read as follows:

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

9 (1) Congressional offices;

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

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

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

18 All city and town primaries shall be nonpartisan. Primaries for

1 special purpose districts, except those districts that require  
2 ownership of property within the district as a prerequisite to voting,  
3 shall be nonpartisan. Primaries for the office of county sheriff shall  
4 be nonpartisan except in a county for which the position is declared  
5 to be a partisan office by the county's home rule charter. City, town,  
6 county sheriff, and district primaries shall be held as provided in RCW  
7 ((29A.04.310)) 29A.04.311.

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

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

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

23 (2) No primary may be held for the office of commissioner of a park  
24 and recreation district or for the office of cemetery district  
25 commissioner.

26 (3) Names of candidates for offices that do not appear on the  
27 primary ballot shall be printed upon the general election ballot in the  
28 manner specified by RCW ((29A.36.130)) 29A.36.131.

29 **Sec. 4.** RCW 29A.52.231 and 2004 c 271 s 174 are each amended to  
30 read as follows:

31 The offices of superintendent of public instruction, justice of the  
32 supreme court, judge of the court of appeals, judge of the superior  
33 court, and judge of the district court shall be nonpartisan and the  
34 candidates therefor shall be nominated and elected as such. Except in  
35 a county for which the position of sheriff is declared to be a partisan

1 office by the county's home rule charter, the office of county sheriff  
2 shall be nonpartisan and the candidates therefor shall be nominated and  
3 elected as such.

4 All city, town, and special purpose district elective offices shall  
5 be nonpartisan and the candidates therefor shall be nominated and  
6 elected as such.

7 NEW SECTION. Sec. 5. 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.

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