

# FINAL BILL REPORT

## HB 2152

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Synopsis as Enacted

**Brief Description:** Regarding election certification.

**Sponsors:** By Representatives Appleton, Seaquist, Rolfes, Haigh, Eickmeyer, Lantz and Ormsby.

**House Committee on State Government & Tribal Affairs**  
**Senate Committee on Government Operations & Elections**

**Background:**

A county canvassing board must complete the canvass and certify the results within 21 days of a general election. Immediately following the ascertainment of the result of a county election, the county auditor must notify the elected person and issue that person a certificate of election. A "qualified" winner of an election is the person whose election has been certified and who has been issued a certificate of election, has posted any required bond, and has taken the oath of office.

Registered voters may contest the right of a person who is declared elected to office to be issued a certificate of election. Among other reasons, a voter may contest the election if he or she believes that an error or omission has occurred or is about to occur in the issuance of a certificate of election. To commence an action of this nature, a voter must submit an affidavit to the appropriate court within 10 days of official certification. If an election is set aside by a superior court and not appealed within 10 days, the certificate issued is rendered void.

**Summary:**

A certificate of election is no longer required to "qualify" a person as the winner of an election if other requirements are met, including that the election results are certified and the person has taken the oath of office. In a county election, the certificate issued immediately following ascertainment of the results to the person notified by the county auditor as the person elected to office is a ceremonial certificate of election.

The causes for a registered voter's challenge of a person's right to assume office no longer include an allegation that an error is about to occur in the issuance of a certificate of election. Instead, the voter must allege error in the official certification of the election. A successful challenge results in voiding the election, rather than voiding the certificate.

**Votes on Final Passage:**

House	97	1
Senate	49	0

**Effective:** July 22, 2007