
**State Government & Tribal
Affairs Committee**

HB 2152

Brief Description: Regarding election certification.

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

Brief Summary of Bill

- Clarifies that official certification of an election occurs when the county canvassing board certifies the election.

Hearing Date: 2/20/07

Staff: Alison Hellberg (786-7152).

Background:

A county canvassing board (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.

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 of Bill:

Immediately following the ascertainment of the result of a county election, the county auditor must notify the person elected to office and issue the person a ceremonial certificate of election.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Registered voters may challenge the right to assume office of a candidate who is declared elected to that office for a variety of reasons. One of these reasons is if the voter believes that an error or omission has occurred or is about to occur in the official certification of the election. To commence an action of this nature, a voter must submit an affidavit to the appropriate court within 10 days of the official certification. If an election is set aside by a superior court and not appealed within 10 days, the election of the challenged person is rendered void.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.