

SB 5728 - S AMD 132

By Senator McDermott

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 29A.04.321 and 2009 c 413 s 1 are each amended to
4 read as follows:

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

1 (2) A county legislative authority may call a special county
2 election by presenting a resolution to the county auditor prior to the
3 proposed election date. A special election called by the county
4 legislative authority shall be held on one of the following dates as
5 decided by such governing body:

6 (a) The second Tuesday in February;

7 (b) The fourth Tuesday in April;

8 (c) The third Tuesday in May for tax levies that failed previously
9 in that calendar year and new bond issues;

10 (d) The day of the primary as specified by RCW 29A.04.311; or

11 (e) The first Tuesday after the first Monday in November.

12 (3) A resolution calling for a special election on a date set forth
13 in subsection (2)(a) through (c) of this section must be presented to
14 the county auditor at least forty-five days prior to the election date.
15 A resolution calling for a special election on a date set forth in
16 subsection (2)(d) or (e) of this section must be presented to the
17 county auditor at least eighty-four days prior to the election date.

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

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

31 **Sec. 2.** RCW 29A.04.321 and 2009 c 413 s 2 are each amended to read
32 as follows:

33 (1) All state, county, city, town, and district general elections
34 for the election of federal, state, legislative, judicial, county,
35 city, town, and district officers, and for the submission to the voters
36 of the state, county, city, town, or district of any measure for their
37 adoption and approval or rejection, shall be held on the first Tuesday

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

21 (2) A county legislative authority may call a special county
22 election by presenting a resolution to the county auditor prior to the
23 proposed election date. A special election called by the county
24 legislative authority shall be held on one of the following dates as
25 decided by such governing body:

- 26 (a) The second Tuesday in February;
- 27 (b) The fourth Tuesday in April;
- 28 (c) The day of the primary as specified by RCW 29A.04.311; or
- 29 (d) The first Tuesday after the first Monday in November.

30 (3) A resolution calling for a special election on a date set forth
31 in subsection (2)(a) and (b) of this section must be presented to the
32 county auditor at least forty-five days prior to the election date. A
33 resolution calling for a special election on a date set forth in
34 subsection (2)(c) or (d) of this section must be presented to the
35 county auditor at least eighty-four days prior to the election date.

36 (4) In addition to the dates set forth in subsection (2)(a) through
37 (d) of this section, a special election to validate an excess levy or

1 bond issue may be called at any time to meet the needs resulting from
2 fire, flood, earthquake, or other act of God. Such county special
3 election shall be noticed and conducted in the manner provided by law.

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

12 NEW SECTION. **Sec. 3.** Section 1 of this act expires July 1, 2011.

13 NEW SECTION. **Sec. 4.** Section 2 of this act takes effect July 1,
14 2011."

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By Senator

15 On page 1, line 2 of the title, after "officials;" strike the
16 remainder of the title and insert "amending RCW 29A.04.321 and
17 29A.04.321; providing an effective date; and providing an expiration
18 date."

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