

HOUSE BILL REPORT

HB 2531

As Reported by House Committee On:
Local Government & Housing

Title: An act relating to filling vacancies in county offices.

Brief Description: Concerning vacancies in county offices.

Sponsors: Representatives White, Hunt, Upthegrove, Cody, Nelson and Hudgins.

Brief History:

Committee Activity:

Local Government & Housing: 1/14/10, 1/18/10 [DPS].

Brief Summary of Substitute Bill

- Requires county legislative authorities in counties with more than 1,500,000 residents to fill vacancies in nonpartisan offices within 30 days of notification of the vacancy.
- Stipulates that consideration of whether the successor will run for office at the next election may not be determinative.
- Requires the Governor to appoint a successor if the county legislative authorities fail to fill the vacancy within 30 days of notification of the vacancy.

HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Simpson, Chair; Nelson, Vice Chair; Angel, Ranking Minority Member; Fagan, Miloscia, Springer, Upthegrove, White and Williams.

Minority Report: Do not pass. Signed by 2 members: Representatives DeBolt, Assistant Ranking Minority Member; Short.

Staff: Becca Kenna-Schenk (786-7291) and Ethan Moreno (786-7386).

Background:

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.

State statute requires the legislative authority in each county to fill county office vacancies at the next regular or special meeting of the authority after receiving notification of the vacancy. The appointed officer holds office until the next general election and his or her successor is elected.

Summary of Substitute Bill:

The county legislative authority in a county with more than 1,500,000 residents is required to fill vacancies in nonpartisan offices within 30 days of notification of the vacancy. Consideration of whether the successor will run for office at the next election may not be determinative in filling the vacant office. If the county legislative authorities fail to fill the vacancy within 30 days of notification of the vacancy, the Governor is required to appoint a successor within 30 days after the county's appointment period has closed. The Governor, prior to filling a vacancy for a nonpartisan county office, is required to consult with members of the Legislature who represent the area the appointee will represent.

Substitute Bill Compared to Original Bill:

The amended bill makes the following changes to the original bill:

- removes provision applying to vacancies currently not filled;
 - removes the emergency clause, making the bill effective 90 days after adjournment of session in which bill is passed; and
 - requires the Governor, prior to filling a vacancy for a nonpartisan county office, to consult with members of the Legislature who represent the area the appointee will represent.
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Appropriation: None.

Fiscal Note: Not requested.

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

Staff Summary of Public Testimony:

(In support) This bill applies to King County. After the 2009 general elections, a position was open on the nonpartisan King County Council. A political deadlock ensued as the remaining council members disagreed over the successor to fill the vacancy, leaving 150,000 citizens without representation for nearly two months. This is unacceptable. This bill creates a clear timeline for the legislative body and includes an incentive to fill the vacancy in a timely manner. It is appropriate for the state to step in when the local government is incapable of doing its duties. The position was filled; therefore the emergency clause is no longer needed.

(Opposed) None.

Persons Testifying: Representative White, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.