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SENATE BILL 6454

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State of Washington

62nd Legislature

2012 Regular Session

By Senators Haugen, Becker, and Hobbs

Read first time 01/24/12. Referred to Committee on Government Operations, Tribal Relations & Elections.

1 AN ACT Relating to special district general and special elections;  
2 and amending RCW 85.38.010 and 85.38.100.

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

4 **Sec. 1.** RCW 85.38.010 and 1991 c 349 s 1 are each amended to read  
5 as follows:

6 Unless the context clearly requires otherwise, the definitions in  
7 this section apply throughout this chapter:

8 (1) "Governing body" means the board of commissioners, board of  
9 supervisors, or board of directors of a special district.

10 (2) "Owner of land" means the record owner of at least a majority  
11 ownership interest in a separate and legally created lot or parcel of  
12 land, as determined by the records of the county auditor, except that  
13 if the lot or parcel has been sold under a real estate contract, the  
14 vendee or grantee shall be deemed to be the owner of such land for  
15 purposes of authorizing voting rights. It is assumed, unless shown  
16 otherwise, that the name appearing as the owner of property on the  
17 property tax rolls is the current owner.

18 (3) "Qualified voter of a special district" means a person who is  
19 either: (a) A natural person who is a voter under general state

1 election laws, registered to vote in the state of Washington for a  
2 period of not less than thirty days before the election, and the owner  
3 of land located in the special district for a period of not less than  
4 thirty days before the election; (b) a corporation or partnership that  
5 has owned land located in the special district for a period of not less  
6 than sixty days before the election; or (c) the state, its agencies or  
7 political subdivisions that own land in the special district or lands  
8 proposed to be annexed into the special district except that the state,  
9 its agencies and political subdivisions shall not be eligible to vote  
10 to elect a member of the governing board of a special district.

11 (4) "Special district" means: (a) A diking district; (b) a  
12 drainage district; (c) a diking, drainage, and/or sewerage improvement  
13 district; (d) an intercounty diking and drainage district; (e) a  
14 consolidated diking district, drainage district, diking improvement  
15 district, and/or drainage improvement district; or (f) a flood control  
16 district.

17 (5) "Special district general election" means the election of a  
18 special district regularly held (~~((on the first Tuesday after the first  
19 Monday in February in each even-numbered year))~~) pursuant to RCW  
20 85.38.100 at which a member of the special district governing body is  
21 regularly elected.

22 **Sec. 2.** RCW 85.38.100 and 1991 c 349 s 5 are each amended to read  
23 as follows:

24 General elections shall be held in each special district on the  
25 (~~((first Tuesday after the first Monday in February))~~) special election  
26 date described in RCW 29A.04.321(2)(a) in each even-numbered year. The  
27 auditor of the county within which a special district, or the largest  
28 portion of a special district, is located may provide for special  
29 elections whenever necessary on the dates authorized in RCW  
30 29A.04.321(2).

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