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**SUBSTITUTE SENATE BILL 5340**

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**State of Washington 67th Legislature 2021 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators Salomon, Das, Dhingra, Hunt, Lovelett, Nguyen, and Saldaña)

AN ACT Relating to qualifications for school board directors; and amending RCW 28A.343.340, 29A.24.031, 29A.24.075, and 42.04.020.

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

**Sec.**  RCW 28A.343.340 and 1969 ex.s. c 223 s 28A.57.318 are each amended to read as follows:

(1) Directors of school districts shall be elected at regular school elections. No person shall be eligible to the office of school director who is not at least 18 years of age, a citizen of the United States or lawful permanent resident, and a resident of the state of Washington and ((~~a registered voter of~~)) either the school district or director district, as the case may be.

(2) A person who has been convicted of a felony and whose right to vote has not been restored under RCW 29A.08.520 is ineligible for the office of school director.

**Sec.**  RCW 29A.24.031 and 2013 c 11 s 31 are each amended to read as follows:

A candidate who desires to have his or her name printed on the ballot for election to an office other than president of the United States, vice president of the United States, or an office for which ownership of property is a prerequisite to voting shall complete and file a declaration of candidacy. The secretary of state shall adopt, by rule, a declaration of candidacy form for the office of precinct committee officer and a separate standard form for candidates for all other offices filing under this chapter. Included on the standard form shall be:

(1) ((~~A~~)) (a) Except for candidates for school district director, a place for the candidate to declare that he or she is a registered voter within the jurisdiction of the office for which he or she is filing, and the address at which he or she is registered;

(b) For candidates for school district director, a place for the candidate to declare that he or she is at least 18 years of age, a citizen of the United States or lawful permanent resident, and not a person convicted of a felony who has not had their voting rights restored under RCW 29A.08.520 and provide proof of residency in either the school district or director district, as the case may be, using one of the forms of alternate identification listed in RCW 29A.08.107(2);

(2) A place for the candidate to indicate the position for which he or she is filing;

(3) A place for the candidate to state a party preference, if the office is a partisan office;

(4) A place for the candidate to indicate the amount of the filing fee accompanying the declaration of candidacy or for the candidate to indicate that he or she is filing a filing fee petition in lieu of the filing fee under RCW 29A.24.091;

(5) A place for the candidate to sign the declaration of candidacy, stating that the information provided on the form is true and swearing or affirming that he or she will support the Constitution and laws of the United States and the Constitution and laws of the state of Washington.

In the case of a declaration of candidacy filed electronically, submission of the form constitutes agreement that the information provided with the filing is true, that he or she will support the Constitutions and laws of the United States and the state of Washington, and that he or she agrees to electronic payment of the filing fee established in RCW 29A.24.091.

The secretary of state may require any other information on the form he or she deems appropriate to facilitate the filing process.

**Sec.**  RCW 29A.24.075 and 2013 c 11 s 25 are each amended to read as follows:

(1) A person filing a declaration of candidacy for an office shall, at the time of filing, be a registered voter and possess the qualifications specified by law for persons who may be elected to the office.

(2) Excluding the office of precinct committee officer or a temporary elected position such as a charter review board member or freeholder, no person may file for more than one office.

(3) The name of a candidate for an office shall not appear on a ballot for that office unless, except for judge of the superior court and as provided in RCW 3.50.057, the candidate is, at the time the candidate's declaration of candidacy is filed, properly registered to vote in the geographic area represented by the office. For the purposes of this section, each geographic area in which registered voters may cast ballots for an office is represented by that office. If a person elected to an office must be nominated from a district or similar division of the geographic area represented by the office, the name of a candidate for the office shall not appear on a primary ballot for that office unless the candidate is, at the time the candidate's declaration of candidacy is filed, properly registered to vote in that district or division. The officer with whom declarations of candidacy must be filed under this title shall review each such declaration filed regarding compliance with this subsection.

(4) The requirements of voter registration and residence within the geographic area of a district do not apply to candidates for congressional office. Qualifications for the United States congress are specified in the United States Constitution.

(5) The requirement of being a registered voter does not apply to candidates for school district director. Qualifications for school district director are specified in RCW 28A.343.340.

**Sec.**  RCW 42.04.020 and 2012 c 117 s 94 are each amended to read as follows:

(1) That no person shall be competent to qualify for or hold any elective public office within the state of Washington, or any county, district, precinct, ((~~school district,~~)) municipal corporation or other district or political subdivision, unless he or she be a citizen of the United States and state of Washington and an elector of such county, district, precinct, ((~~school district,~~)) municipality or other district or political subdivision.

(2) The requirements of being a citizen and district elector do not apply to candidates for school district director. Qualifications for school district director are specified in RCW 28A.343.340.

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