
SUBSTITUTE HOUSE BILL 1727

State of Washington

67th Legislature

2022 Regular Session

By House State Government & Tribal Relations (originally sponsored by Representatives Gregerson, Entenman, Bateman, Macri, Peterson, Ramos, Simmons, Harris-Talley, and Frame)

READ FIRST TIME 01/28/22.

1 AN ACT Relating to odd-numbered year elections; amending RCW
2 29A.04.321, 29A.04.330, 29A.04.420, 29A.92.050, 29A.92.110,
3 36.105.090, 35.17.020, 35.18.270, 35.23.051, 35.27.090, 35.30.080,
4 35.61.050, 35A.02.050, 36.32.030, 36.32.0554, 36.69.070, 36.105.050,
5 36.105.060, 36.69.090, 36.93.051, 36.93.061, and 36.93.063; creating
6 a new section; and providing an effective date.

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

8 **Sec. 1.** RCW 29A.04.321 and 2015 c 146 s 1 are each amended to
9 read as follows:

10 (1) All state, county, city, town, and district general elections
11 for the election of federal, state, legislative, judicial, county,
12 city, town, and district officers, and for the submission to the
13 voters of the state, county, city, town, or district of any measure
14 for their adoption and approval or rejection, shall be held on the
15 first Tuesday after the first Monday of November, in ~~((the year in~~
16 ~~which they may be called. A statewide general election shall be held~~
17 ~~on the first Tuesday after the first Monday of November of each year.~~
18 ~~However, the statewide general election))~~ each even-numbered year,
19 except as provided in subsection (2) of this section.

20 (2) Elections held on the first Tuesday after the first Monday of
21 November in odd-numbered years shall be limited to (a) city, town,

1 and district (~~general~~) elections as provided for in RCW
2 29A.04.330(1)(a), or as otherwise provided by law; (b) (~~the~~) a
3 special election of federal officers for the remainder of any
4 unexpired terms in the membership of either branch of the congress of
5 the United States; (c) (~~the election of state and county officers~~
6 ~~for the remainder of any unexpired terms of offices created by or~~
7 ~~whose duties are described in Article II, section 15, Article III,~~
8 ~~sections 16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3~~
9 ~~and 5 of the state Constitution and RCW 2.06.080; (d) the election of~~
10 ~~county officers in any county governed by a charter containing~~
11 ~~provisions calling for general county elections at this time; and (e)~~
12 ~~the approval or rejection of state measures, including proposed~~
13 ~~constitutional amendments, matters pertaining to any proposed~~
14 ~~constitutional convention, initiative measures and referendum~~
15 ~~measures proposed by the electorate, referendum bills, and any other~~
16 ~~matter provided by the legislature for submission to the electorate))~~
17 a special election called under subsection (3) of this section or RCW
18 29A.04.330; or (d) a special election called for the recall of any
19 elective public officer.

20 (~~(2)~~) (3) A county legislative authority may call a special
21 county election by presenting a resolution to the county auditor
22 prior to the proposed election date. A special election called by the
23 county legislative authority shall be held on one of the following
24 dates as decided by such governing body in either an even-numbered or
25 odd-numbered year:

- 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)~~) (4) A resolution calling for a special election on a date
31 set forth in subsection (~~(2)~~) (3)(a) and (b) of this section must
32 be presented to the county auditor at least sixty days prior to the
33 election date. A resolution calling for a special election on a date
34 set forth in subsection (~~(2)~~) (3)(c) of this section must be
35 presented to the county auditor no later than the Friday immediately
36 before the first day of regular candidate filing. A resolution
37 calling for a special election on a date set forth in subsection
38 (~~(2)~~) (3)(d) of this section must be presented to the county
39 auditor no later than the day of the primary.

1 (~~(4)~~) (5) In addition to the dates set forth in subsection
2 (~~(2)~~) (3)(a) through (d) of this section, a special election to
3 validate an excess levy or bond issue may be called at any time to
4 meet the needs resulting from fire, flood, earthquake, or other act
5 of God. Such county special election shall be noticed and conducted
6 in the manner provided by law.

7 (~~(5)~~) (6) This section shall supersede the provisions of any
8 and all other statutes and of any local government charter, whether
9 general or special in nature, having different dates for such county,
10 city, town, and district elections, the purpose of this section being
11 to establish mandatory dates for holding elections. This section
12 shall not be construed as fixing the time for holding primary
13 elections, or elections for the recall of any elective public
14 officer.

15 **Sec. 2.** RCW 29A.04.330 and 2015 c 146 s 2 are each amended to
16 read as follows:

17 (1) All county, city, town, and district general elections shall
18 be held throughout the state of Washington on the first Tuesday
19 following the first Monday in November in the (~~odd-numbered~~) even-
20 numbered years.

21 This section shall not apply to:

22 (a) Elections held before the year 2028, although a county, city,
23 town, or district may choose to hold its elections in even-numbered
24 years before 2028;

25 (b) Elections for the recall of any elective public officer;

26 (~~(b)~~) (c) Public utility districts, conservation districts, or
27 district elections at which the ownership of property within those
28 districts is a prerequisite to voting, all of which elections shall
29 be held at the times prescribed in the laws specifically applicable
30 thereto;

31 (~~(e)~~) (d) Consolidation proposals as provided for in RCW
32 28A.315.235 and nonhigh capital fund aid proposals as provided for in
33 chapter 28A.540 RCW; and

34 (~~(d)~~) (e) Special flood control districts consisting of three
35 or more counties.

36 (2) The county auditor, as ex officio supervisor of elections,
37 upon request in the form of a resolution of the governing body of a
38 city, town, or district, presented to the auditor prior to the
39 proposed election date, shall call a special election in such city,

1 town, or district, and for the purpose of such special election he or
2 she may combine, unite, or divide precincts. Such a special election
3 shall be held on one of the following dates as decided by the
4 governing body in either an even-numbered or odd-numbered year:

5 (a) The second Tuesday in February;

6 (b) The fourth Tuesday in April;

7 (c) The day of the primary election as specified by RCW
8 29A.04.311; or

9 (d) The first Tuesday after the first Monday in November.

10 (3) A resolution calling for a special election on a date set
11 forth in subsection (2)(a) and (b) of this section must be presented
12 to the county auditor at least sixty days prior to the election date.
13 A resolution calling for a special election on a date set forth in
14 subsection (2)(c) of this section must be presented to the county
15 auditor no later than the Friday immediately before the first day of
16 regular candidate filing. A resolution calling for a special election
17 on a date set forth in subsection (2)(d) of this section must be
18 presented to the county auditor no later than the day of the primary.

19 (4) In addition to subsection (2)(a) through (d) of this section,
20 a special election to validate an excess levy or bond issue may be
21 called at any time to meet the needs resulting from fire, flood,
22 earthquake, or other act of God, except that no special election may
23 be held between the first day for candidates to file for public
24 office and the last day to certify the returns of the general
25 election other than as provided in subsection (2)(c) and (d) of this
26 section. Such special election shall be conducted and notice thereof
27 given in the manner provided by law.

28 (5) This section shall supersede the provisions of any and all
29 other statutes and of any local government charter, whether general
30 or special in nature, having different dates for such county, city,
31 town, and district elections, the purpose of this section being to
32 establish mandatory dates for holding elections.

33 NEW SECTION. **Sec. 3.** Whenever, as a result of the application
34 of this act, the term of office of an elected official is scheduled
35 to expire under RCW 29A.60.280 but a general election for that office
36 has not yet been held, the elected official shall continue to serve
37 until a successor is elected and qualified and assumes office in
38 accordance with RCW 29A.60.280.

1 **Sec. 4.** RCW 29A.04.420 and 2020 c 337 s 2 are each amended to
2 read as follows:

3 (1) Whenever federal officers, state officers, or measures are
4 voted upon at a state primary (~~(or)~~), general, or special election
5 held under RCW 29A.04.321, the state of Washington shall assume a
6 prorated share of the costs of that state primary (~~(or)~~), general, or
7 special election for the federal and state offices and measures,
8 including the prorated cost of return postage, required to be
9 included on return envelopes pursuant to RCW 29A.40.091.

10 (2) Whenever a primary or vacancy election is held to fill a
11 vacancy in the position of United States senator or United States
12 representative under chapter 29A.28 RCW, the state of Washington
13 shall assume a prorated share of the costs of that primary or vacancy
14 election.

15 (3) The county auditor shall apportion the state's share of these
16 expenses when prorating election costs under RCW 29A.04.410 and in
17 accordance with the state budgeting, accounting, and reporting
18 system, shall file such expense claims with the secretary of state.

19 (4) The secretary of state shall include in his or her biennial
20 budget requests sufficient funds to carry out this section.
21 Reimbursements for election costs shall be from appropriations
22 specifically provided by law for that purpose.

23 (5) State and federal offices are to be considered one entity for
24 purposes of election cost proration and reimbursement.

25 **Sec. 5.** RCW 29A.92.050 and 2021 c 173 s 4 are each amended to
26 read as follows:

27 (1)(a) Prior to the adoption of its proposed plan, the political
28 subdivision must provide public notice to residents of the
29 subdivision about the proposed remedy to a potential violation of RCW
30 29A.92.020. If a significant segment of the residents of the
31 subdivision have limited English proficiency and speaks a language
32 other than English, the political subdivision must:

33 (i) Provide accurate written and verbal notice of the proposed
34 remedy in languages that diverse residents of the political
35 subdivision can understand, as indicated by demographic data; and

36 (ii) Air radio or television public service announcements
37 describing the proposed remedy broadcast in the languages that
38 diverse residents of the political subdivision can understand, as
39 indicated by demographic data.

1 (b) The political subdivision shall hold at least one public
2 hearing on the proposed plan at least one week before adoption.

3 (c) For purposes of this section, "significant segment of the
4 community" means five percent or more of residents, or five hundred
5 or more residents, whichever is fewer, residing in the political
6 subdivision.

7 (2)(a) If the political subdivision invokes its authority under
8 RCW 29A.92.040 and the plan is adopted during the period of time
9 between the first Tuesday after the first Monday of November and on
10 or before January 15th of the following year, the political
11 subdivision shall (~~order new elections to occur at the next~~
12 ~~succeeding general election~~) request new elections to occur at a
13 special election under RCW 29A.04.330 held on the first Tuesday after
14 the first Monday in the next November.

15 (b) If the political subdivision invokes its authority under RCW
16 29A.92.040 and the plan is adopted during the period of time between
17 January 16th and on or before the first Monday of November, the next
18 election will occur as scheduled and organized under the current
19 electoral system, but the political subdivision shall (~~order new~~
20 ~~elections to occur pursuant to the remedy at the general election~~)
21 request new elections to occur at a special election under RCW
22 29A.04.330 held on the first Tuesday after the first Monday in
23 November of the following calendar year.

24 (3) If a political subdivision implements a district-based
25 election system under RCW 29A.92.040(2), the plan shall be consistent
26 with the following criteria:

27 (a) Each district shall be as reasonably equal in population as
28 possible to each and every other such district comprising the
29 political subdivision.

30 (b) Each district shall be reasonably compact.

31 (c) Each district shall consist of geographically contiguous
32 area.

33 (d) To the extent feasible, the district boundaries shall
34 coincide with existing recognized natural boundaries and shall, to
35 the extent possible, preserve existing communities of related and
36 mutual interest.

37 (e) District boundaries may not be drawn or maintained in a
38 manner that creates or perpetuates the dilution of the votes of the
39 members of a protected class or classes.

1 (f) All positions on the governing body must stand for election
2 at the next election for the governing body, scheduled pursuant to
3 subsection (2) of this section. The governing body may subsequently
4 choose to stagger the terms of its positions.

5 (4) Within forty-five days after receipt of federal decennial
6 census information applicable to a specific local area, the
7 commission established in RCW 44.05.030 shall forward the census
8 information to each political subdivision.

9 (5) No later than November 15th of each year ending in one, the
10 governing body of the political subdivision that had previously
11 invoked its authority under RCW 29A.92.040 to implement a district-
12 based election system, or that was previously charged with
13 redistricting under RCW 29A.92.110, shall prepare a plan for
14 redistricting its districts, pursuant to RCW 29A.76.010, and in a
15 manner consistent with this chapter.

16 **Sec. 6.** RCW 29A.92.110 and 2019 c 454 s 2 are each amended to
17 read as follows:

18 (1) The court may order appropriate remedies including, but not
19 limited to, the imposition of a district-based election system. The
20 court may order the affected jurisdiction to draw or redraw district
21 boundaries or appoint an individual or panel to draw or redraw
22 district lines. The proposed districts must be approved by the court
23 prior to their implementation.

24 (2) Implementation of a district-based remedy is not precluded by
25 the fact that members of a protected class do not constitute a
26 numerical majority within a proposed district-based election
27 district. If, in tailoring a remedy, the court orders the
28 implementation of a district-based election district where the
29 members of the protected class are not a numerical majority, the
30 court shall do so in a manner that provides the protected class an
31 equal opportunity to elect candidates of their choice. The court may
32 also approve a district-based election system that provides the
33 protected class the opportunity to join in a coalition of two or more
34 protected classes to elect candidates of their choice if there is
35 demonstrated political cohesion among the protected classes.

36 (3) In tailoring a remedy after a finding of a violation of RCW
37 29A.92.020:

38 (a) If the court's order providing a remedy or approving proposed
39 districts, whichever is later, is issued during the period of time

1 between the first Tuesday after the first Monday of November and on
2 or before January 15th of the following year, the court shall order
3 new elections, conducted pursuant to the remedy, to occur at (~~the~~
4 ~~next succeeding general election~~) a general or special election held
5 on the first Tuesday after the first Monday in the next November. If
6 a special filing period is required, filings for that office shall be
7 reopened for a period of three business days, such three-day period
8 to be fixed by the filing officer.

9 (b) If the court's order providing a remedy or approving proposed
10 districts, whichever is later, is issued during the period of time
11 between January 16th and on or before the first Monday of November,
12 the next election will occur as scheduled and organized under the
13 current electoral system, but the court shall order new elections to
14 occur pursuant to the remedy at (~~the general election~~) a general or
15 special election held on the first Tuesday after the first Monday in
16 November of the following calendar year.

17 (c) The remedy may provide for the political subdivision to hold
18 elections for the members of its governing body at the same time as
19 regularly scheduled elections for statewide or federal offices. All
20 positions on the governing body must stand for election at the next
21 election for the governing body, scheduled pursuant to this
22 subsection (3). The governing body may subsequently choose to stagger
23 the terms of its positions.

24 (4) Within thirty days of the conclusion of any action filed
25 under RCW 29A.92.100, the political subdivision must publish on the
26 subdivision's website, the outcome and summary of the action, as well
27 as the legal costs incurred by the subdivision. If the political
28 subdivision does not have its own website, then it may publish on the
29 county website.

30 **Sec. 7.** RCW 36.105.090 and 1991 c 363 s 107 are each amended to
31 read as follows:

32 A community council may provide for the annexation of adjacent
33 unincorporated areas to the community that are not included within
34 another community for which a community council has been established.
35 Annexations shall be initiated by either resolution of the community
36 council proposing the annexation or petition of voters residing in
37 the adjacent area, which petition: (a) Requests the annexation; (b)
38 sets forth the boundaries of the area proposed to be annexed; and (c)
39 contains signatures of voters residing within the area that is

1 proposed to be annexed equal in number to at least ten percent of the
2 voters residing in that area who voted at the last state general
3 election. Annexation petitions shall be filed with the county auditor
4 who shall determine if the petitions contain a sufficient number of
5 valid signatures, certify the sufficiency of the petitions, and
6 notify the community council of the sufficiency of the petitions
7 within fifteen days of when the petitions are submitted.

8 A ballot proposition authorizing the annexation shall be
9 submitted to the voters of the area that is proposed to be annexed at
10 a primary ~~((or)),~~ general, or special election in either an odd-
11 numbered or even-numbered year, if the community council initiated
12 the annexation by resolution or if the community council concurs in
13 an annexation that was initiated by the submission of annexation
14 petitions containing sufficient valid signatures. The annexation
15 shall occur if the ballot proposition authorizing the creation of the
16 community is approved by a simple majority vote of the voters voting
17 on the proposition. The county's comprehensive plan, and where
18 applicable to the county's subarea plan, and zoning ordinances shall
19 continue in effect in the annexed area until proposed amendments to
20 the approved community comprehensive plans and approved community
21 zoning ordinance have been approved that apply to the annexed area.

22 **Sec. 8.** RCW 35.17.020 and 2013 c 11 s 87 are each amended to
23 read as follows:

24 (1) All regular elections in cities organized under the statutory
25 commission form of government shall be held ~~((quadrennially in the~~
26 ~~odd-numbered years))~~ on the dates provided in RCW 29A.04.330.
27 ~~((However, after commissioners are elected at the next general~~
28 ~~election occurring in 1995 or 1997, regular elections in cities~~
29 ~~organized under a statutory commission form of government shall be~~
30 ~~held biennially at municipal general elections.))~~

31 (2) The commissioners shall be nominated and elected at large.
32 Their terms shall be for four years and until their successors are
33 elected and qualified and assume office in accordance with RCW
34 29A.60.280. ~~((However, at the next regular election of a city~~
35 ~~organized under a statutory commission form of government, the terms~~
36 ~~of office of commissioners shall occur with the person who is elected~~
37 ~~as a commissioner receiving the least number of votes being elected~~
38 ~~to a two-year term of office and the other two persons who are~~

1 ~~elected being elected to four-year terms of office. Thereafter,~~
2 ~~commissioners shall be elected to four-year terms of office.)~~)

3 (3) Vacancies on a commission shall occur and shall be filled as
4 provided in chapter 42.12 RCW.

5 **Sec. 9.** RCW 35.18.270 and 1994 c 223 s 13 are each amended to
6 read as follows:

7 If the majority of the votes cast at a special election for
8 organization on the council-manager plan favor the plan, the city or
9 town shall elect the council required under the council-manager plan
10 in number according to its population at the next municipal general
11 election. However, special elections shall be held to nominate and
12 elect the new city councilmembers at the next primary and general
13 election held in an even-numbered year if the next municipal general
14 election is more than one year after the date of the election at
15 which the voters approved the council-manager plan. The staggering of
16 terms of office shall occur at the election when the new
17 councilmembers are elected, where the simple majority of the persons
18 elected as councilmembers receiving the greatest numbers of votes
19 shall be elected to four-year terms of office (~~(if the election is~~
20 ~~held in an odd-numbered year, or three-year terms of office if the~~
21 ~~election is held in an even-numbered year)~~), and the remainder of the
22 persons elected as councilmembers shall be elected to two-year terms
23 of office (~~(if the election is held in an odd-numbered year, or one-~~
24 ~~year terms of office if the election is held in an even-numbered~~
25 ~~year)~~). The initial councilmembers shall take office immediately when
26 they are elected and qualified, but the lengths of their terms of
27 office shall be calculated from the first day in January in the year
28 following the election.

29 **Sec. 10.** RCW 35.23.051 and 2019 c 454 s 5 are each amended to
30 read as follows:

31 General municipal elections in second-class cities shall be held
32 biennially (~~(in the odd-numbered years)~~) on the date provided in RCW
33 29A.04.330 and shall be subject to general election law.

34 The terms of office of the mayor, city attorney, clerk, and
35 treasurer shall be four years and until their successors are elected
36 and qualified and assume office in accordance with RCW 29A.60.280:
37 PROVIDED, That if the offices of city attorney, clerk, and treasurer
38 are made appointive, the city attorney, clerk, and treasurer shall

1 not be appointed for a definite term: PROVIDED FURTHER, That the term
2 of the elected treasurer shall not commence in the same biennium in
3 which the term of the mayor commences, nor in which the terms of the
4 city attorney and clerk commence if they are elected.

5 Council positions shall be numbered in each second-class city so
6 that council position seven has a two-year term of office and council
7 positions one through six shall each have four-year terms of office.
8 Each councilmember shall remain in office until a successor is
9 elected and qualified and assumes office in accordance with RCW
10 29A.60.280.

11 In its discretion the council of a second-class city may divide
12 the city by ordinance, into a convenient number of wards, not
13 exceeding six, fix the boundaries of the wards, and change the ward
14 boundaries from time to time and as provided in RCW 29A.76.010. No
15 change in the boundaries of any ward shall be made within one hundred
16 twenty days next before the date of a general municipal election, nor
17 within twenty months after the wards have been established or altered
18 unless pursuant to RCW 29A.92.040 or 29A.92.110. However, if a
19 boundary change results in one ward being represented by more
20 councilmembers than the number to which it is entitled, those having
21 the shortest unexpired terms shall be assigned by the council to
22 wards where there is a vacancy, and the councilmembers so assigned
23 shall be deemed to be residents of the wards to which they are
24 assigned for purposes of determining whether those positions are
25 vacant.

26 Whenever such city is so divided into wards, the city council
27 shall designate by ordinance the number of councilmembers to be
28 elected from each ward, apportioning the same in proportion to the
29 population of the wards. Thereafter the councilmembers so designated
30 shall be elected by the voters resident in such ward, or by general
31 vote of the whole city as may be designated in such ordinance.
32 Council position seven shall not be associated with a ward and the
33 person elected to that position may reside anywhere in the city and
34 voters throughout the city may vote at a primary to nominate
35 candidates for position seven, when a primary is necessary, and at a
36 general election to elect the person to council position seven.
37 Additional territory that is added to the city shall, by act of the
38 council, be annexed to contiguous wards without affecting the right
39 to redistrict at the expiration of twenty months after last previous

1 division. The removal of a councilmember from the ward for which he
2 or she was elected shall create a vacancy in such office.

3 Wards shall be redrawn as provided in chapter 29A.76 RCW. Wards
4 shall be used as follows: (1) Only a resident of the ward may be a
5 candidate for, or hold office as, a councilmember of the ward; and
6 (2) only voters of the ward may vote at a primary to nominate
7 candidates for a councilmember of the ward. Voters of the entire city
8 may vote at the general election to elect a councilmember of a ward,
9 unless the city had prior to January 1, 1994, limited the voting in
10 the general election for any or all council positions to only voters
11 residing within the ward associated with the council positions. If a
12 city had so limited the voting in the general election to only voters
13 residing within the ward, then the city shall be authorized to
14 continue to do so. The elections for the remaining council position
15 or council positions that are not associated with a ward shall be
16 conducted as if the wards did not exist.

17 **Sec. 11.** RCW 35.27.090 and 2009 c 549 s 2056 are each amended to
18 read as follows:

19 All general municipal elections in towns shall be held biennially
20 (~~in the odd-numbered years as~~) on the date provided in RCW
21 29A.04.330. The term of office of the mayor and treasurer shall be
22 four years and until their successors are elected and qualified and
23 assume office in accordance with RCW (~~29A.20.040~~) 29A.60.280:
24 PROVIDED, That the term of the treasurer shall not commence in the
25 same biennium in which the term of the mayor commences.
26 Councilmembers shall be elected for four year terms and until their
27 successors are elected and qualified and assume office in accordance
28 with RCW (~~29A.20.040~~) 29A.60.280; three at one election and two at
29 the next succeeding biennial election.

30 **Sec. 12.** RCW 35.30.080 and 2015 c 53 s 42 are each amended to
31 read as follows:

32 (1) When a majority of the legislative body of an unclassified
33 city determines that it would serve the best interests and general
34 welfare of such municipality to change the election procedures of
35 such city to the procedures specified in this section, such
36 legislative body may, by resolution, declare its intention to adopt
37 such procedures for the city. Such resolution must be adopted at
38 least one hundred eighty days before the general municipal election

1 at which the new election procedures are implemented. Within ten days
2 after the passage of the resolution, the legislative body shall cause
3 it to be published at least once in a newspaper of general
4 circulation within the city.

5 (2) All general municipal elections in an unclassified city
6 adopting a resolution under subsection (1) of this section shall be
7 held biennially (~~in the odd-numbered years as~~) on the date provided
8 in RCW 29A.04.330 and shall be held in accordance with the general
9 election laws of the state.

10 The term of the treasurer shall not commence in the same biennium
11 in which the term of the mayor commences. Candidates for the city
12 council shall run for specific council positions. The staggering of
13 terms of city officers shall be established at the first election,
14 where the simple majority of the persons elected as councilmembers
15 receiving the greatest numbers of votes shall be elected to four-year
16 terms of office and the remainder of the persons elected as
17 councilmembers and the treasurer shall be elected to two-year terms
18 of office. Thereafter, all elected city officers shall be elected for
19 four-year terms and until their successors are elected and qualified
20 and assume office in accordance with RCW 29A.60.280.

21 **Sec. 13.** RCW 35.61.050 and 2015 c 53 s 44 are each amended to
22 read as follows:

23 (1) The resolution or petition submitting the ballot proposition
24 shall designate the composition of the board of metropolitan park
25 commissioners from among the alternatives provided under subsections
26 (2) through (4) of this section. The ballot proposition shall clearly
27 describe the designated composition of the board.

28 (2) The commissioners of the district may be selected by
29 election, in which case at the same election at which the proposition
30 is submitted to the voters as to whether a metropolitan park district
31 is to be formed, five park commissioners shall be elected. The
32 election of park commissioners shall be null and void if the
33 metropolitan park district is not created. Candidates shall run for
34 specific commission positions. No primary shall be held to nominate
35 candidates. The person receiving the greatest number of votes for
36 each position shall be elected as a commissioner. The staggering of
37 the terms of office shall occur as follows: (a) The two persons who
38 are elected receiving the two greatest numbers of votes shall be
39 elected to six-year terms of office (~~if the election is held in an~~

1 ~~odd-numbered year or five-year terms of office if the election is~~
2 ~~held in an even-numbered year));~~ (b) the two persons who are elected
3 receiving the next two greatest numbers of votes shall be elected to
4 four-year terms of office (~~if the election is held in an odd-~~
5 ~~numbered year or three-year terms of office if the election is held~~
6 ~~in an even-numbered year));~~ and (c) the other person who is elected
7 shall be elected to a two-year term of office (~~if the election is~~
8 ~~held in an odd-numbered year or a one-year term of office if the~~
9 ~~election is held in an even-numbered year)).~~ The initial
10 commissioners shall take office immediately when they are elected and
11 qualified, and for purposes of computing their terms of office the
12 terms shall be assumed to commence on the first day of January in the
13 year after they are elected. Thereafter, all commissioners shall be
14 elected to six-year terms of office. All commissioners shall serve
15 until their respective successors are elected and qualified and
16 assume office in accordance with RCW 29A.60.280. Vacancies shall
17 occur and shall be filled as provided in chapter 42.12 RCW.

18 (3) In a district wholly located within a city or within the
19 unincorporated area of a county, the governing body of such city or
20 legislative authority of such county may be designated to serve in an
21 ex officio capacity as the board of metropolitan park commissioners,
22 provided that when creation of the district is proposed by citizen
23 petition, the city or county approves by resolution such designation.

24 (4) Where the proposed district is located within more than one
25 city, more than one county, or any combination of cities and
26 counties, each city governing body and county legislative authority
27 may be designated to collectively serve ex officio as the board of
28 metropolitan park commissioners through selection of one or more
29 members from each to serve as the board, provided that when creation
30 of the district is proposed by citizen petition, each city governing
31 body and county legislative authority approve by resolution such
32 designation. Within six months of the date of certification of
33 election results approving creation of the district, the size and
34 membership of the board shall be determined through interlocal
35 agreement of each city and county. The interlocal agreement shall
36 specify the method for filling vacancies on the board.

37 (5) Metropolitan park districts created by a vote of the people
38 prior to June 13, 2002, may not change the composition and method of
39 selection of their governing authority without approval of the
40 voters. Should such a change be desired, the board of park

1 commissioners shall submit a ballot proposition to the voters of the
2 metropolitan park district.

3 **Sec. 14.** RCW 35A.02.050 and 2015 c 53 s 48 are each amended to
4 read as follows:

5 The first election of officers where required for reorganization
6 under a different general plan of government newly adopted in a
7 manner provided in RCW 35A.02.020, 35A.02.030, 35A.06.030, or
8 35A.06.060, as now or hereafter amended, shall be at the next general
9 municipal election if one is to be held more than ninety days but not
10 more than one hundred and eighty days after certification of a
11 reorganization ordinance or resolution, or otherwise at a special
12 election to be held for that purpose in accordance with RCW
13 29A.04.330. In the event that the first election of officers is to be
14 held at a general municipal election, such election shall be preceded
15 by a primary election pursuant to RCW 29A.52.210 and 29A.04.311. In
16 the event that the first election of all officers is to be held at a
17 special election rather than at a general election, and
18 notwithstanding any provisions of any other law to the contrary, such
19 special election shall be preceded by a primary election to be held
20 on a date authorized by RCW 29A.04.321, and the persons nominated at
21 that primary election shall be voted upon at the next succeeding
22 special election that is authorized by RCW 29A.04.321: PROVIDED, That
23 in the event the ordinances calling for reclassification or
24 reclassification and reorganization under the provisions of ((Title
25 ~~35A-RCW~~)) this title have been filed with the secretary of state
26 pursuant to RCW 35A.02.040 in an even-numbered year at least ninety
27 days prior to a state general election then the election of new
28 officers shall be concurrent with the state primary and general
29 election and shall be conducted as set forth in general election law.

30 Upon reorganization, candidates for all offices shall file or be
31 nominated for and successful candidates shall be elected to specific
32 council positions. The initial terms of office for those elected at a
33 first election of all officers shall be as follows: (1) A simple
34 majority of the persons who are elected as councilmembers receiving
35 the greatest numbers of votes and the mayor in a city with a mayor-
36 council plan of government shall be elected to four-year terms of
37 office(~~(, if the election is held in an odd-numbered year, or three-~~
38 ~~year terms of office, if the election is held in an even-numbered~~
39 ~~year));~~ and (2) the other persons who are elected as councilmembers

1 shall be elected to two-year terms of office(~~(, if the election is~~
2 ~~held in an odd-numbered year, or one-year terms of office, if the~~
3 ~~election is held in an even-numbered year)~~). The newly elected
4 officials shall take office immediately when they are elected and
5 qualified, but the length of their terms of office shall be
6 calculated from the first day of January in the year following the
7 election. Thereafter, each person elected as a councilmember or mayor
8 in a city with a mayor-council plan of government shall be elected to
9 a four-year term of office. Each councilmember and mayor in a city
10 with a mayor-council plan of government shall serve until a successor
11 is elected and qualified and assumes office as provided in RCW
12 29A.60.280.

13 The former officers shall, upon the election and qualification of
14 new officers, deliver to the proper officers of the reorganized
15 noncharter code city all books of record, documents and papers in
16 their possession belonging to such municipal corporation before the
17 reorganization thereof.

18 **Sec. 15.** RCW 36.32.030 and 2018 c 301 s 6 are each amended to
19 read as follows:

20 (1) Except as provided otherwise in subsection (2) of this
21 section, the terms of office of county commissioners shall be four
22 years and shall extend until their successors are elected and
23 qualified and assume office in accordance with RCW 29A.60.280. The
24 terms of office of county commissioners shall be staggered (~~(so that~~
25 ~~either one or two commissioners are elected at a general election~~
26 ~~held in each even-numbered year)~~).

27 (2) At the general election held in 2022, any noncharter county
28 with a population of four hundred thousand or more must elect county
29 commissioners in accordance with a districting plan adopted under RCW
30 36.32.054. Any county commissioner whose term is set to expire on or
31 after January 1, 2023, is subject to the new election in accordance
32 with the districting plan. The county commissioners shall begin their
33 terms of office on January 1, 2023, and such terms shall be staggered
34 terms, as designated in the districting plan.

35 **Sec. 16.** RCW 36.32.0554 and 1990 c 252 s 4 are each amended to
36 read as follows:

37 The terms of the persons who are initially elected to positions
38 four and five under RCW 36.32.0552 shall be as follows:

1 (1) (~~(If the year in which the primary and general elections are~~
2 ~~held is an even-numbered year, the)~~) The person elected to position
3 four shall be elected for a two-year term, and the person elected to
4 position five shall be elected for a four-year term(~~(~~or~~~~

5 ~~(2) If the year in which the primary and general elections are~~
6 ~~held is an odd-numbered year, the person elected to position four~~
7 ~~shall be elected for a one-year term, and the person elected to~~
8 ~~position five shall be elected for a three-year term)).~~

9 (2) The length of the terms shall be calculated from the first
10 day of January in the year following the election. Each person
11 elected pursuant to subsection (1) (~~(~~or~~(2))~~) of this section shall
12 take office immediately upon the issuance of a certificate of his or
13 her election.

14 (3) Thereafter, persons elected to commissioner positions four
15 and five shall be elected for four-year terms and shall take office
16 at the same time the other members of the board of county
17 commissioners take office.

18 **Sec. 17.** RCW 36.69.070 and 2015 c 53 s 66 are each amended to
19 read as follows:

20 A ballot proposition authorizing the formation of the proposed
21 park and recreation district shall be submitted to the voters of the
22 proposed district for their approval or rejection at the next general
23 state election occurring sixty or more days after the county
24 legislative authority fixes the boundaries of the proposed district.
25 Notices of the election for the formation of the park and recreation
26 district shall state generally and briefly the purpose thereof and
27 shall give the boundaries of the proposed district and name the day
28 of the election and the hours during which the polls will be open.
29 The proposition to be submitted to the voters shall be stated in such
30 manner that the voters may indicate yes or no upon the proposition of
31 forming the proposed park and recreation district.

32 The initial park and recreation commissioners shall be elected at
33 the same election, but this election shall be null and void if the
34 district is not authorized to be formed. No primary shall be held to
35 nominate candidates for the initial commissioner positions.
36 Candidates shall run for specific commission positions. A special
37 filing period shall be opened as provided in RCW 29A.24.171 and
38 29A.24.181. The person who receives the greatest number of votes for
39 each commission position shall be elected to that position. The three

1 persons who are elected receiving the greatest number of votes shall
2 be elected to four-year terms of office (~~((if the election is held in~~
3 ~~an odd-numbered year or three-year terms of office if the election is~~
4 ~~held in an even-numbered year))~~). The other two persons who are
5 elected shall be elected to two-year terms of office (~~((if the~~
6 ~~election is held in an odd-numbered year or one-year terms of office~~
7 ~~if the election is held in an even-numbered year))~~). The initial
8 commissioners shall take office immediately upon being elected and
9 qualified, but the length of such terms shall be computed from the
10 first day of January in the year following this election.

11 **Sec. 18.** RCW 36.105.050 and 2015 c 53 s 68 are each amended to
12 read as follows:

13 The initial members of the community council shall be elected at
14 the same election as the ballot proposition is submitted authorizing
15 the creation of the community council. However, the election of the
16 initial community councilmembers shall be null and void if the ballot
17 proposition authorizing the creation of the community council is not
18 approved.

19 No primary election shall be held to nominate candidates for
20 initial council positions. The initial community council shall
21 consist of the candidate for each council position who receives the
22 greatest number of votes for that council position. Staggering of
23 terms of office shall be accomplished by having the majority of the
24 winning candidates who receive the greatest number of votes being
25 elected to four-year terms of office, and the remaining winning
26 candidates being elected to two-year terms of office, (~~((if the~~
27 ~~election was held in an even-numbered year, or the majority of the~~
28 ~~winning candidates who receive the greatest number of votes being~~
29 ~~elected to three-year terms of office, and the remaining winning~~
30 ~~candidates being elected to one-year terms of office, if the election~~
31 ~~was held in an odd-numbered year,))~~ with the term computed from the
32 first day of January in the year following the election. Initial
33 councilmembers shall take office immediately when qualified in
34 accordance with RCW 29A.04.133.

35 (~~(However, where the county operates under a charter providing~~
36 ~~for the election of members of the county legislative authority in~~
37 ~~odd-numbered years, the terms of office of the initial councilmembers~~
38 ~~shall be four years and two years, if the election of the initial~~
39 ~~councilmembers was held on an odd-numbered year, or three years and~~

1 ~~one year, if the election of the initial councilmembers was held on~~
2 ~~an even-numbered year.))~~

3 **Sec. 19.** RCW 36.105.060 and 1991 c 363 s 104 are each amended to
4 read as follows:

5 Community councilmembers shall be elected to staggered four-year
6 terms until their successors are elected and qualified. Each council
7 position shall be numbered separately. Candidates shall run for
8 specific council positions. The number of council positions shall be
9 five, seven, nine, or eleven, as specified in the petition calling
10 for the creation of the community council.

11 Community councilmembers shall be nominated and elected at
12 nonpartisan elections pursuant to general election laws, ~~((except))~~
13 and the elections shall be held ~~((in even-numbered years, unless the~~
14 ~~county operates under a charter and members of the county legislative~~
15 ~~authority are elected in odd-numbered years, in which case, community~~
16 ~~councilmembers shall be elected in odd-numbered years))~~ on the date
17 provided in RCW 29A.04.330.

18 The provisions of this section apply to the election and terms of
19 office of the initial community councilmembers, except as provided in
20 RCW 36.105.050.

21 A councilmember shall lose his or her council position if his or
22 her primary residence no longer is located within the community.
23 Vacancies on a community council shall be filled by action of the
24 remaining councilmembers.

25 **Sec. 20.** RCW 36.69.090 and 2015 c 53 s 67 are each amended to
26 read as follows:

27 A park and recreation district shall be governed by a board of
28 five commissioners. Except for the initial commissioners, all
29 commissioners shall be elected to staggered four-year terms of office
30 and shall serve until their successors are elected and qualified and
31 assume office in accordance with RCW 29A.60.280. Candidates shall run
32 for specific commissioner positions.

33 Elections for park and recreation district commissioners shall be
34 held biennially in conjunction with the general election ~~((in each~~
35 ~~odd-numbered year))~~ on the date provided in RCW 29A.04.330. Elections
36 shall be held in accordance with the provisions of Title 29A RCW
37 dealing with general elections, except that there shall be no primary
38 to nominate candidates. All persons filing and qualifying shall

1 appear on the general election ballot and the person receiving the
2 largest number of votes for each position shall be elected.

3 **Sec. 21.** RCW 36.93.051 and 2011 1st sp.s. c 21 s 23 are each
4 amended to read as follows:

5 The boundary review board in each county with a population of one
6 million or more shall consist of eleven members chosen as follows:

7 (1) Four persons shall be appointed by the county appointing
8 authority;

9 (2) Four persons shall be appointed by the mayors of the cities
10 and towns located within the county; and

11 (3) Three persons shall be appointed by the board from nominees
12 of special districts in the county.

13 The governor shall designate one initial appointee to serve a
14 term of two years, and two initial appointees to serve terms of four
15 years, if the appointments are made in an (~~odd-numbered~~) even-
16 numbered year, or one initial appointee to serve a term of one year,
17 and two initial appointees to serve terms of three years, if the
18 appointments are made in an (~~even-numbered~~) odd-numbered year, with
19 the length of the term being calculated from the first day of
20 February in the year the appointment was made.

21 The county appointing authority shall designate one of its
22 initial appointees to serve a term of two years, and two of its
23 initial appointees to serve terms of four years, if the appointments
24 are made in an (~~odd-numbered~~) even-numbered year, or one of its
25 initial appointees to serve a term of one year, and two of its
26 initial appointees to serve terms of three years, if the appointments
27 are made in an (~~even-numbered~~) odd-numbered year, with the length
28 of the term being calculated from the first day of February in the
29 year the appointment was made.

30 The mayors making the initial city and town appointments shall
31 designate two of their initial appointees to serve terms of two
32 years, and one of their initial appointees to serve a term of four
33 years, if the appointments are made in an (~~odd-numbered~~) even-
34 numbered year, or two of their initial appointees to serve terms of
35 one year, and one of their initial appointees to serve a term of
36 three years, if the appointments are made in an (~~even-numbered~~)
37 odd-numbered year, with the length of the term being calculated from
38 the first day of February in the year the appointment was made.

1 The board shall make two initial appointments from the nominees
2 of special districts, with one appointee serving a term of four years
3 and one initial appointee serving a term of two years, if the
4 appointments are made in an (~~odd-numbered~~) even-numbered year, or
5 one initial appointee serving a term of three years and one initial
6 appointee serving a term of one year if the appointments are made in
7 an (~~even-numbered~~) odd-numbered year, with the length of the term
8 being calculated from the first day of March in the year in which the
9 appointment is made.

10 After the initial appointments, all appointees shall serve four-
11 year terms.

12 No appointee may be an official or employee of the county or a
13 governmental unit in the county, or a consultant or advisor on a
14 contractual or regular retained basis of the county, any governmental
15 unit in the county, or any agency or association thereof.

16 **Sec. 22.** RCW 36.93.061 and 1991 c 363 s 94 are each amended to
17 read as follows:

18 The boundary review board in each county with a population of
19 less than one million shall consist of five members chosen as
20 follows:

21 (1) Two persons shall be appointed by the governor;

22 (2) One person shall be appointed by the county appointing
23 authority;

24 (3) One person shall be appointed by the mayors of the cities and
25 towns located within the county; and

26 (4) One person shall be appointed by the board from nominees of
27 special districts in the county.

28 The governor shall designate one initial appointee to serve a
29 term of two years, and one initial appointee to serve a term of four
30 years, if the appointments are made in an (~~odd-numbered~~) even-
31 numbered year, or one initial appointee to serve a term of one year,
32 and one initial appointee to serve a term of three years, if the
33 appointments are made in an (~~even-numbered~~) odd-numbered year, with
34 the length of a term being calculated from the first day of February
35 in the year that the appointment was made.

36 The initial appointee of the county appointing authority shall
37 serve a term of two years, if the appointment is made in an (~~odd-~~
38 ~~numbered~~) even-numbered year, or a term of one year, if the
39 appointment is made in an (~~even-numbered~~) odd-numbered year. The

1 initial appointee by the mayors shall serve a term of four years, if
2 the appointment is made in an (~~odd-numbered~~) even-numbered year, or
3 a term of three years, if the appointment is made in an (~~even-~~
4 ~~numbered~~) odd-numbered year. The length of the term shall be
5 calculated from the first day in February in the year the appointment
6 was made.

7 The board shall make one initial appointment from the nominees of
8 special districts to serve a term of two years if the appointment is
9 made in an (~~odd-numbered~~) even-numbered year, or a term of one year
10 if the appointment is made in an (~~even-numbered~~) odd-numbered year,
11 with the length of the term being calculated from the first day of
12 March in the year in which the appointment is made.

13 After the initial appointments, all appointees shall serve four-
14 year terms.

15 No appointee may be an official or employee of the county or a
16 governmental unit in the county, or a consultant or advisor on a
17 contractual or regular retained basis of the county, any governmental
18 unit in the county, or any agency or association thereof.

19 **Sec. 23.** RCW 36.93.063 and 1991 c 363 s 95 are each amended to
20 read as follows:

21 The executive of the county shall make the appointments under RCW
22 36.93.051 and 36.93.061 for the county, if one exists, or otherwise
23 the county legislative authority shall make the appointments for the
24 county.

25 The mayors of all cities and towns in the county shall meet on or
26 before the last day of January in each (~~odd-numbered~~) even-numbered
27 year to make such appointments for terms to commence on the first day
28 of February in that year. The date of the meeting shall be called by
29 the mayor of the largest city or town in the county, and the mayor of
30 the largest city or town in the county who attends the meeting shall
31 preside over the meeting. Selection of each appointee shall be by
32 simple majority vote of those mayors who attend the meeting.

33 Any special district in the county may nominate a person to be
34 appointed to the board on or before the last day of January in each
35 (~~odd-numbered~~) even-numbered year that the term for this position
36 expires. The board shall make its appointment of a nominee or
37 nominees from the special districts during the month of February
38 following the date by which such nominations are required to be made.

1 The county appointing authority and the mayors of cities and
2 towns within the county shall make their initial appointments for
3 newly created boards within sixty days of the creation of the board
4 or shall make sufficient additional appointments to increase a five-
5 member board to an eleven-member board within sixty days of the date
6 the county obtains a population of one million or more. The board
7 shall make its initial appointment or appointments of board members
8 from the nominees of special districts located within the county
9 within ninety days of the creation of the board or shall make an
10 additional appointment of a board member from the nominees of special
11 districts located within the county within ninety days of the date
12 the county obtains a population of one million or more.

13 The term of office for all appointees other than the appointee
14 from the special districts shall commence on the first day of
15 February in the year in which the term is to commence. The term of
16 office for the appointee from nominees of special districts shall
17 commence on the first day of March in the year in which the term is
18 to commence.

19 Vacancies on the board shall be filled by appointment of a person
20 to serve the remainder of the term in the same manner that the person
21 whose position is vacant was filled.

22 NEW SECTION. **Sec. 24.** This act takes effect January 1, 2023.

--- END ---