
SENATE BILL 5014

State of Washington

67th Legislature

2021 Regular Session

By Senators Hunt, Das, and Wilson, C.

Prefiled 12/14/20. Read first time 01/11/21. Referred to Committee on State Government & Elections.

1 AN ACT Relating to clarifying the state offices for which
2 elections to fill a vacancy may appear on the ballot in odd-numbered
3 years; and amending RCW 29A.04.321.

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

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

7 (1) All state, county, city, town, and district general elections
8 for the election of federal, state, legislative, judicial, county,
9 city, town, and district officers, and for the submission to the
10 voters of the state, county, city, town, or district of any measure
11 for their adoption and approval or rejection, shall be held on the
12 first Tuesday after the first Monday of November, in the year in
13 which they may be called. A statewide general election shall be held
14 on the first Tuesday after the first Monday of November of each year.
15 However, the statewide general election held in odd-numbered years
16 shall be limited to (a) city, town, and district general elections as
17 provided for in RCW 29A.04.330, or as otherwise provided by law; (b)
18 the election of federal officers for the remainder of any unexpired
19 terms in the membership of either branch of the Congress of the
20 United States; (c) the election of state legislators, statewide
21 officers, supreme court justices, court of appeals judges, superior

1 court judges, and county partisan officers for the remainder of any
2 unexpired terms of offices (~~created by or whose duties are described~~
3 ~~in Article II, section 15, Article III, sections 16, 17, 19, 20, 21,~~
4 ~~22, and 23, and Article IV, sections 3 and 5 of the state~~
5 ~~Constitution and RCW 2.06.080)); (d) the election of county officers~~
6 in any county governed by a charter containing provisions calling for
7 general county elections at this time; and (e) the approval or
8 rejection of state measures, including proposed constitutional
9 amendments, matters pertaining to any proposed constitutional
10 convention, initiative measures and referendum measures proposed by
11 the electorate, referendum bills, and any other matter provided by
12 the legislature for submission to the electorate.

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

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

22 (3) A resolution calling for a special election on a date set
23 forth in subsection (2)(a) and (b) of this section must be presented
24 to the county auditor at least sixty days prior to the election date.
25 A resolution calling for a special election on a date set forth in
26 subsection (2)(c) of this section must be presented to the county
27 auditor no later than the Friday immediately before the first day of
28 regular candidate filing. A resolution calling for a special election
29 on a date set forth in subsection (2)(d) of this section must be
30 presented to the county auditor no later than the day of the primary.

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

37 (5) This section shall supersede the provisions of any and all
38 other statutes, whether general or special in nature, having
39 different dates for such city, town, and district elections, the
40 purpose of this section being to establish mandatory dates for

1 holding elections. This section shall not be construed as fixing the
2 time for holding primary elections, or elections for the recall of
3 any elective public officer.

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