

CHAPTER 111

[Engrossed Senate Bill No. 2989]
ELECTIONS—MANDATORY DATES

AN ACT Relating to elections; amending section 29.13.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 3, Laws of 1975 2nd ex. sess. and RCW 29.13.010; and amending section 29.13.020, chapter 9, Laws of 1965 as amended by section 3, chapter 123, Laws of 1965 and RCW 29.13.020.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 29.13.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 3, Laws of 1975 2nd ex. sess. and RCW 29.13.010 are each amended to read as follows:

All state, county, city, town, and district general elections for the election of federal, state, legislative, judicial, county, city, town, district, and precinct officers, and for the submission to the voters of the state, county, city, town, or district of any measure for their adoption and approval or rejection, shall be held on the first Tuesday after the first Monday of November, in the year in which they may be called. A state-wide general election shall be held on the first Tuesday after the first Monday of November of each year: PROVIDED, That the state-wide general election held in odd-numbered years shall be limited to (1) city, town, and district general elections as provided for in RCW 29.13.020 as now or hereafter amended, or as otherwise provided by law; (2) the election of federal officers for the remainder of any unexpired terms in the membership of either branch of the congress of the United States; (3) the election of state and county officers for the remainder of any unexpired terms of offices created by ~~((for))~~ or whose duties are described in Article II, section 15, Article III, sections 16, 17, 19, 20, 21, 22 and 23, and Article IV, sections 3 and 5 of the state Constitution and RCW 2.06.080; (4) the election of county officers in any county governed by a charter containing provisions calling for general county elections at this time; and (5) the approval or rejection of state measures, including proposed constitutional amendments, matters pertaining to any proposed constitutional convention, initiative measures and referendum measures proposed by the electorate, referendum bills, and any other matter provided by the legislature for submission to the electorate: PROVIDED FURTHER, That this section shall not be construed as fixing the time for holding primary elections, or elections for the recall of ~~((county, city, town, or district officers))~~ any elective public officer: PROVIDED HOWEVER, That the ~~((board of))~~ county ((commissioners)) legislative authority may, if they deem an emergency to exist, call a special county election ~~((at any time))~~ by presenting a resolution to the county auditor at least forty-five days prior to the proposed election date. A special election called by the county legislative authority shall be held on one of the following dates as decided by such governing body:

- (a) The first Tuesday after the first Monday in February;
- (b) The second Tuesday in March;
- (c) The first Tuesday after the first Monday in April;
- (d) The third Tuesday in May;
- (e) The day of the primary as specified by RCW 29.13.070; or

(f) The first Tuesday after the first Monday in November.

In addition to the dates set forth in (a) through (f) above, a special election to validate an excess levy or bond issue may be called at any time to meet the needs resulting from failure of a county to pass a special levy for the first time or from fire, flood, earthquake or other act of God. Such county special election shall be noticed and conducted in the manner provided by law.

This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for such city, town, and district elections, the purpose of this section being to establish mandatory dates for holding elections.

Sec. 2. Section 29.13.020, chapter 9, Laws of 1965 as amended by section 3, chapter 123, Laws of 1965 and RCW 29.13.020 are each amended to read as follows:

All city, town, and district general elections(~~(, except as hereinafter provided;))~~ shall be held throughout the state of Washington on the first Tuesday following the first Monday in November in the odd-numbered years(~~(, PROVIDED, That there shall be no general city or town elections held under the provisions of the 1963 elections act as amended until 1967, and the positions that would have been voted upon in the year 1966, except for the provisions of the 1963 elections act as amended, shall be voted upon at the general election to be held on the first Tuesday following the first Monday in November in the year 1967 and each two years thereafter. All city and town elections to be held in 1964 under existing law shall be conducted as though the provisions of the 1963 elections act had not been enacted. All city and town officers elected in 1964 shall remain in office for their regular term and until their successors are elected and qualified under the provisions of the 1963 elections act.~~

There shall be no regular district elections held in the years 1964, 1966, 1968, and 1970, and the positions that would have been voted upon, except for the provisions of the 1963 elections act as amended, in the years 1964, 1966, 1968, and 1970 shall be voted upon at the general elections to be held on the first Tuesday following the first Monday in November in the years 1965, 1967, 1969, and 1971, respectively and each two years thereafter.

There shall be no regular school district elections held on the second Tuesday in March in the years 1965, 1967, and 1969 and the position[s] that would have been voted upon, except for the provisions of the 1963 elections act as amended, shall be voted upon at the general elections to be held on the first Tuesday following the first Monday in November in the years 1965, 1967, and 1969 respectively and each two years thereafter.

The purpose of this section is to change the time of holding all general city, town, and district elections to a common election date, throughout the state of Washington being the first Tuesday following the first Monday in November of the odd-numbered years.

All incumbent city, town, or district officers whose terms would have expired, except for the provisions of the 1963 elections act as amended, shall remain in office until their successors are elected and qualified).

This section shall not apply to:

(1) Elections for the recall of ~~((city, town, or district officers,))~~ any elective public officer.

(2) Public utility districts, or district elections whereat the ownership of property within said districts is a prerequisite to voting, all of which elections shall be held at the times prescribed in the laws specifically applicable thereto.

(3) Consolidation proposals as provided for in RCW 28A.57.180 and nonhigh capital fund aid proposals as provided for in chapter 28A.56 RCW.

The county auditor, as ex officio supervisor of elections, upon request in the form of a resolution of the governing body of a city, town or district, presented to him at least forty-five days prior to the proposed election date, may, if he deems an emergency to exist, call a special election ~~((at any time))~~ in such city, town, or district and for the purpose of such special election he may combine, unite or divide precincts. A special election called by such governing body shall be held on one of the following dates as decided by the governing body:

(a) The first Tuesday after the first Monday in February;

(b) The second Tuesday in March;

(c) The first Tuesday after the first Monday in April;

(d) The third Tuesday in May;

(e) The day of the primary election as specified by RCW 29.13.070; or

(f) The first Tuesday after the first Monday in November.

In addition to (a) through (f) above, a special election to validate an excess levy or bond issue may be called at any time to meet the needs resulting from failure of a school or junior taxing district to pass a special levy for the first time or from fire, flood, earthquake or other act of God. Such special election shall be conducted and notice thereof given in the manner provided by law.

This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for such city, town, and district elections, the purpose of this section being to establish mandatory dates for holding elections.

NEW SECTION. Sec. 3. If any provision of this 1976 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 4. Nothing in sections 1 or 2 of this 1976 amendatory act shall affect any special election which has been called prior to the effective date of this 1976 amendatory act.

Passed the Senate March 14, 1976.

Passed the House March 13, 1976.

Approved by the Governor March 20, 1976.

Filed in Office of Secretary of State March 20, 1976.