
ENGROSSED SUBSTITUTE HOUSE BILL 1932

State of Washington

68th Legislature

2024 Regular Session

By House State Government & Tribal Relations (originally sponsored by Representatives Gregerson, Farivar, Peterson, Alvarado, Berry, Ramel, Stearns, Mena, Bateman, Reed, Simmons, Ormsby, Macri, Street, Orwall, Goodman, Berg, Lekanoff, Reeves, Nance, Riccelli, and Fosse)

READ FIRST TIME 01/16/24.

1 AN ACT Relating to shifting general elections for local
2 governments to even-numbered years to increase voter participation;
3 amending RCW 29A.04.330, 35.17.020, 35.18.270, 35.23.051, 35.27.090,
4 35.30.080, 35A.02.050, 3.50.040, and 3.50.050; and creating a new
5 section.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that participation
8 in local government elections is integral to ensuring that local
9 governments and elected officials accurately represent and are
10 accountable to the communities which they serve. The legislature
11 believes that when there is low voter participation in an election,
12 policy outcomes are more favorable to special interests and less
13 reflective of the needs of the broader community. Over the past eight
14 years, Washington has had a dramatic gap between odd-year and even-
15 year voter participation: Participation in local elections in odd-
16 numbered years averages around 40.5 percent, while even-numbered year
17 elections average around 80 percent participation, nearly double that
18 of odd-year elections.

19 Under current law, local governments generally must conduct
20 elections in odd-numbered years that do not coincide with federal or
21 state elections. The legislature believes that holding local

1 government elections in even-numbered years will increase voter
2 turnout and ensure that a broader cross-section of voters participate
3 in contests for local offices, resulting in local governments that
4 more accurately represent and reflect the desires and needs of their
5 communities. In particular, an increase in voter turnout will ensure
6 that the voices of younger voters, working and low-income families,
7 and people with disabilities are heard. Therefore, to increase voter
8 participation in local elections, the legislature intends to provide
9 local governments the option to conduct local elections in even-
10 numbered years.

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

13 (1) All city, town, and district general elections shall be held
14 throughout the state of Washington on the first Tuesday following the
15 first Monday in November in the odd-numbered years, except as
16 provided in subsection (6) of this section.

17 This section shall not apply to:

18 (a) Elections for the recall of any elective public officer;

19 (b) Public utility districts, conservation districts, or district
20 elections at which the ownership of property within those districts
21 is a prerequisite to voting, all of which elections shall be held at
22 the times prescribed in the laws specifically applicable thereto;

23 (c) Consolidation proposals as provided for in RCW 28A.315.235
24 and nonhigh capital fund aid proposals as provided for in chapter
25 28A.540 RCW; and

26 (d) Special flood control districts consisting of three or more
27 counties.

28 (2) The county auditor, as ex officio supervisor of elections,
29 upon request in the form of a resolution of the governing body of a
30 city, town, or district, presented to the auditor prior to the
31 proposed election date, shall call a special election in such city,
32 town, or district, and for the purpose of such special election he or
33 she may combine, unite, or divide precincts. Such a special election
34 shall be held on one of the following dates as decided by the
35 governing body:

36 (a) The second Tuesday in February;

37 (b) The fourth Tuesday in April;

38 (c) The day of the primary election as specified by RCW
39 29A.04.311; or

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

2 (3) A resolution calling for a special election on a date set
3 forth in subsection (2)(a) and (b) of this section must be presented
4 to the county auditor at least sixty days prior to the election date.
5 A resolution calling for a special election on a date set forth in
6 subsection (2)(c) of this section must be presented to the county
7 auditor no later than the Friday immediately before the first day of
8 regular candidate filing. A resolution calling for a special election
9 on a date set forth in subsection (2)(d) of this section must be
10 presented to the county auditor no later than the day of the primary.

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

20 (5) This section shall supersede the provisions of any and all
21 other statutes, whether general or special in nature, having
22 different dates for such city, town, and district elections, the
23 purpose of this section being to establish mandatory dates for
24 holding elections, with the exception of subsection (6) of this
25 section.

26 (6) A city, town, or special purpose district that holds its
27 elections under this title may choose to hold its regular elections
28 in even-numbered years by providing notice to the county or counties
29 in which it is located following adoption of an ordinance or policy,
30 or approval by the voters of an ordinance or charter amendment
31 referred by its legislative body.

32 (a) A city, town, or special purpose district moving its regular
33 elections to even-numbered years through adoption of an ordinance or
34 policy by its legislative body must hold two public hearings not less
35 than 30 days apart to consider public input. A vote on final adoption
36 of the ordinance or policy may be taken only after at least 30 days
37 have elapsed since the date on which the second of the two public
38 hearings was held.

39 (b) A city, town, or special purpose district moving its regular
40 elections to even-numbered years must transition from odd-numbered to

1 even-numbered years by electing each position to one term that is one
2 year shorter in duration than provided by law. After conclusion of
3 that term, beginning in an even-numbered year, elections for
4 positions must be for their prescribed term lengths. For special
5 purpose districts, this subsection shall supersede any conflicting
6 provisions regarding term lengths in statutes governing the district.

7 (c) A city, town, or special purpose district that chooses to
8 hold its elections in even-numbered years must do so for all elected
9 positions in the jurisdiction.

10 (d) If a city, town, or special purpose district repeals an
11 ordinance, charter amendment, or policy that moved its elections to
12 even-numbered years, the jurisdiction shall transition back to odd-
13 numbered year elections by electing each position to one term that is
14 one year shorter in duration than provided by law. After conclusion
15 of that term, beginning in an odd-numbered year, elections for
16 positions must be for their prescribed term lengths.

17 (e) An ordinance, charter amendment, or policy must be adopted by
18 January 15th of an odd-numbered year for the city, town, or special
19 purpose district to begin transition under (b) of this subsection in
20 that calendar year.

21 **Sec. 3.** RCW 35.17.020 and 2013 c 11 s 87 are each amended to
22 read as follows:

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

32 (2) The commissioners shall be nominated and elected at large.
33 Their terms shall be for four years, unless the city is transitioning
34 its regular elections to even-numbered years as provided by RCW
35 29A.04.330, and until their successors are elected and qualified and
36 assume office in accordance with RCW 29A.60.280. However, at the next
37 regular election of a city organized under a statutory commission
38 form of government, the terms of office of commissioners shall occur
39 with the person who is elected as a commissioner receiving the least

1 number of votes being elected to a two-year term of office and the
2 other two persons who are elected being elected to four-year terms of
3 office. Thereafter, commissioners shall be elected to four-year terms
4 of office.

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

7 **Sec. 4.** RCW 35.18.270 and 1994 c 223 s 13 are each amended to
8 read as follows:

9 If the majority of the votes cast at a special election for
10 organization on the council-manager plan favor the plan, the city or
11 town shall elect the council required under the council-manager plan
12 in number according to its population at the next municipal general
13 election. However, special elections shall be held to nominate and
14 elect the new city councilmembers at the next primary and general
15 election held in an even-numbered year if the next municipal general
16 election is more than one year after the date of the election at
17 which the voters approved the council-manager plan, unless the city
18 or town is moving or has moved its regularly scheduled elections to
19 even-numbered years as provided by RCW 29A.04.330, in which case it
20 shall hold regular elections rather than special elections. The
21 staggering of terms of office shall occur at the election when the
22 new councilmembers are elected, where the simple majority of the
23 persons elected as councilmembers receiving the greatest numbers of
24 votes shall be elected to four-year terms of office if the election
25 is held in an odd-numbered year, or three-year terms of office if the
26 election is a special election held in an even-numbered year, and the
27 remainder of the persons elected as councilmembers shall be elected
28 to two-year terms of office if the election is held in an odd-
29 numbered year, or one-year terms of office if the election is a
30 special election held in an even-numbered year. The initial
31 councilmembers shall take office immediately when they are elected
32 and qualified, but the lengths of their terms of office shall be
33 calculated from the first day in January in the year following the
34 election.

35 **Sec. 5.** RCW 35.23.051 and 2019 c 454 s 5 are each amended to
36 read as follows:

37 General municipal elections in second-class cities shall be held
38 biennially in the odd-numbered years and shall be subject to general

1 election law, unless a second-class city is moving or has moved its
2 general municipal elections to even-numbered years under the process
3 provided for in RCW 29A.04.330.

4 The terms of office of the mayor, city attorney, clerk, and
5 treasurer shall be four years and until their successors are elected
6 and qualified and assume office in accordance with RCW 29A.60.280,
7 unless the second-class city is transitioning its general municipal
8 elections to even-numbered years as provided by RCW 29A.04.330:
9 PROVIDED, That if the offices of city attorney, clerk, and treasurer
10 are made appointive, the city attorney, clerk, and treasurer shall
11 not be appointed for a definite term: PROVIDED FURTHER, That the term
12 of the elected treasurer shall not commence in the same biennium in
13 which the term of the mayor commences, nor in which the terms of the
14 city attorney and clerk commence if they are elected.

15 Council positions shall be numbered in each second-class city so
16 that council position seven has a two-year term of office and council
17 positions one through six shall each have four-year terms of office.
18 Each councilmember shall remain in office until a successor is
19 elected and qualified and assumes office in accordance with RCW
20 29A.60.280.

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

36 Whenever such city is so divided into wards, the city council
37 shall designate by ordinance the number of councilmembers to be
38 elected from each ward, apportioning the same in proportion to the
39 population of the wards. Thereafter the councilmembers so designated
40 shall be elected by the voters resident in such ward, or by general

1 vote of the whole city as may be designated in such ordinance.
2 Council position seven shall not be associated with a ward and the
3 person elected to that position may reside anywhere in the city and
4 voters throughout the city may vote at a primary to nominate
5 candidates for position seven, when a primary is necessary, and at a
6 general election to elect the person to council position seven.
7 Additional territory that is added to the city shall, by act of the
8 council, be annexed to contiguous wards without affecting the right
9 to redistrict at the expiration of twenty months after last previous
10 division. The removal of a councilmember from the ward for which he
11 or she was elected shall create a vacancy in such office.

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

26 **Sec. 6.** RCW 35.27.090 and 2009 c 549 s 2056 are each amended to
27 read as follows:

28 All general municipal elections in towns shall be held biennially
29 in the odd-numbered years as provided in RCW 29A.04.330, except in
30 towns that are moving or have moved their regular elections to even-
31 numbered years under RCW 29A.04.330. The term of office of the mayor
32 and treasurer shall be four years and until their successors are
33 elected and qualified and assume office in accordance with RCW
34 (~~29A.20.040~~) 29A.60.280, unless the town is transitioning its
35 general municipal elections to even-numbered years as provided by RCW
36 29A.04.330: PROVIDED, That the term of the treasurer shall not
37 commence in the same biennium in which the term of the mayor
38 commences. Councilmembers shall be elected for four-year terms,
39 unless the town is transitioning its general municipal elections to

1 even-numbered years as provided by RCW 29A.04.330, and until their
2 successors are elected and qualified and assume office in accordance
3 with RCW ((~~29A.20.040~~)) 29A.60.280; three at one election and two at
4 the next succeeding biennial election.

5 **Sec. 7.** RCW 35.30.080 and 2015 c 53 s 42 are each amended to
6 read as follows:

7 (1) When a majority of the legislative body of an unclassified
8 city determines that it would serve the best interests and general
9 welfare of such municipality to change the election procedures of
10 such city to the procedures specified in this section, such
11 legislative body may, by resolution, declare its intention to adopt
12 such procedures for the city. Such resolution must be adopted at
13 least one hundred eighty days before the general municipal election
14 at which the new election procedures are implemented. Within ten days
15 after the passage of the resolution, the legislative body shall cause
16 it to be published at least once in a newspaper of general
17 circulation within the city.

18 (2) All general municipal elections in an unclassified city
19 adopting a resolution under subsection (1) of this section shall be
20 held biennially ((~~in the odd-numbered years~~)) as provided in RCW
21 29A.04.330 and shall be held in accordance with the general election
22 laws of the state. An unclassified city may hold its general
23 municipal elections in even-numbered years under RCW 29A.04.330 but
24 remains obligated to comply with the requirements of this section.

25 The term of the treasurer shall not commence in the same biennium
26 in which the term of the mayor commences. Candidates for the city
27 council shall run for specific council positions. The staggering of
28 terms of city officers shall be established at the first election,
29 where the simple majority of the persons elected as councilmembers
30 receiving the greatest numbers of votes shall be elected to four-year
31 terms of office and the remainder of the persons elected as
32 councilmembers and the treasurer shall be elected to two-year terms
33 of office. Thereafter, all elected city officers shall be elected for
34 four-year terms and until their successors are elected and qualified
35 and assume office in accordance with RCW 29A.60.280.

36 **Sec. 8.** RCW 35A.02.050 and 2015 c 53 s 48 are each amended to
37 read as follows:

1 The first election of officers where required for reorganization
2 under a different general plan of government newly adopted in a
3 manner provided in RCW 35A.02.020, 35A.02.030, 35A.06.030, or
4 35A.06.060, as now or hereafter amended, shall be at the next general
5 municipal election if one is to be held more than ninety days but not
6 more than one hundred (~~and~~) eighty days after certification of a
7 reorganization ordinance or resolution, or otherwise at a special
8 election to be held for that purpose in accordance with RCW
9 29A.04.330, unless the city or town is moving or has moved its
10 regularly scheduled elections to even-numbered years as provided by
11 RCW 29A.04.330, in which case it shall hold regular elections rather
12 than special elections. In the event that the first election of
13 officers is to be held at a general municipal election, such election
14 shall be preceded by a primary election pursuant to RCW 29A.52.210
15 and 29A.04.311. In the event that the first election of all officers
16 is to be held at a special election rather than at a general
17 election, and notwithstanding any provisions of any other law to the
18 contrary, such special election shall be preceded by a primary
19 election to be held on a date authorized by RCW 29A.04.321, and the
20 persons nominated at that primary election shall be voted upon at the
21 next succeeding special election that is authorized by RCW
22 29A.04.321: PROVIDED, That in the event the ordinances calling for
23 reclassification or reclassification and reorganization under the
24 provisions of (~~Title 35A RCW~~) this title have been filed with the
25 secretary of state pursuant to RCW 35A.02.040 for a special election
26 in an even-numbered year at least ninety days prior to a state
27 general election then the election of new officers shall be
28 concurrent with the state primary and general election and shall be
29 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 except in the case of special elections in an even-numbered
40 year, when terms are three years; and (2) the other persons who are

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

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

19 **Sec. 9.** RCW 3.50.040 and 2002 c 136 s 2 are each amended to read
20 as follows:

21 Within thirty days after the effective date of the ordinance
22 creating the municipal court, the mayor of each city or town shall
23 appoint a municipal judge or judges of the municipal court for a term
24 of four years. The terms of judges serving on July 1, 1984, and
25 municipal judges who are appointed to terms commencing before January
26 1, 1986, shall expire January 1, 1986. The terms of their successors
27 shall commence on January 1, 1986, and on January 1 of each fourth
28 year thereafter, pursuant to appointment or election as provided in
29 this chapter. Term lengths for municipal judges may be modified to
30 comply with RCW 29A.04.330(6). Appointments shall be made on or
31 before December 1 of the year next preceding the year in which the
32 terms commence.

33 The legislative authority of a city or town that has the general
34 power of confirmation over mayoral appointments shall have the power
35 to confirm the appointment of a municipal judge.

36 A person appointed as a full-time or part-time municipal judge
37 shall be a citizen of the United States of America and of the state
38 of Washington; and an attorney admitted to practice law before the
39 courts of record of the state of Washington: PROVIDED, That in a

1 municipality having a population less than five thousand persons, a
2 person who has taken and passed by January 1, 2003, the qualifying
3 examination for a lay candidate for judicial officer as provided by
4 rule of the supreme court may be the judge. Any city or town shall
5 have authority to appoint a district judge as its municipal judge
6 when the municipal judge is not required to serve full time. In the
7 event of the appointment of a district judge, the city or town shall
8 pay a pro rata share of the salary.

9 **Sec. 10.** RCW 3.50.050 and 1984 c 258 s 107 are each amended to
10 read as follows:

11 The legislative authority of the city or town may, by ordinance,
12 provide that the position of municipal judge within the city or town
13 shall be an elective position. The ordinance shall provide for the
14 qualifications of the municipal judge which shall be the same as the
15 qualifications necessary for the appointment thereof; and further,
16 shall provide that the municipal judge shall be elected in the same
17 manner as other elective city officials are elected to office, and
18 that the term of the municipal judge shall be for a term of four
19 years commencing on January 1, 1986, and every four years thereafter.
20 Term lengths for municipal judges may be modified to comply with RCW
21 29A.04.330(6).

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