
ENGROSSED SUBSTITUTE SENATE BILL 5716

State of Washington

61st Legislature

2009 Regular Session

By Senate Government Operations & Elections (originally sponsored by Senator McCaslin)

READ FIRST TIME 02/23/09.

1 AN ACT Relating to election requirements for the creation of
2 municipal wards; and amending RCW 35A.12.180.

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

4 **Sec. 1.** RCW 35A.12.180 and 1994 c 223 s 34 are each amended to
5 read as follows:

6 ~~((At any time not within three months previous to a municipal
7 general election the council of a noncharter code city organized under
8 this chapter may divide the city into wards or change the boundaries of
9 existing wards.))~~

10 (1) Noncharter code cities may be divided into wards, and
11 boundaries of existing wards may be changed, upon approval of a
12 majority of the voters voting on such a proposal.

13 (a) A proposal to divide the noncharter code city into wards must
14 be put to a vote of the people upon the passage of a resolution of the
15 legislative body of the noncharter code city, or upon the filing of a
16 sufficient petition with the county auditor signed by registered voters
17 in numbers equal to not less than ten percent of the votes cast at the
18 last general municipal election.

1 (b) The election must be conducted in the same manner as a change
2 in plan of government under chapter 35A.02 RCW, insofar as the
3 provisions are applicable and do not conflict with this section.

4 (2) No boundaries may be changed during the period starting on the
5 thirtieth day prior to the first day for candidates to file for the
6 primary election and ending with the day of the general election.

7 (3) No change in the boundaries of wards shall affect the term of
8 any councilmember, and councilmembers shall serve out their terms in
9 the wards of their residences at the time of their elections:
10 PROVIDED, That if this results in one ward being represented by more
11 councilmembers than the number to which it is entitled those having the
12 shortest unexpired terms shall be assigned by the council to wards
13 where there is a vacancy, and the councilmembers so assigned shall be
14 deemed to be residents of the wards to which they are assigned for
15 purposes of those positions being vacant. The representation of each
16 ward in the city council shall be in proportion to the population as
17 nearly as is practicable.

18 (4) Wards shall be redrawn as provided in chapter ((29.70)) 29A.76
19 RCW. Wards shall be used as follows: ((+1)) (a) Only a resident of
20 the ward may be a candidate for, or hold office as, a councilmember of
21 the ward; and ((+2)) (b) only voters of the ward may vote at a primary
22 to nominate candidates for a councilmember of the ward. Voters of the
23 entire city may vote at the general election to elect a councilmember
24 of a ward, unless the city had prior to January 1, 1994, limited the
25 voting in the general election for any or all council positions to only
26 voters residing within the ward associated with the council positions.
27 If a city had so limited the voting in the general election to only
28 voters residing within the ward, then the city shall be authorized to
29 continue to do so.

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