

Bond Case Briefs

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BOND ELECTION - WASHINGTON

In re February 14, 2017, Special Election on Moses Lake School District #161 Proposition 1

Court of Appeals of Washington, Division 3 - March 8, 2018 - P.3d - 2018 WL 1191913

Voters brought action seeking to invalidate results of school district bond election.

The Superior Court granted county auditor's motion to dismiss. Voters appealed.

The Court of Appeals held that:

- 10-day period in which to file election challenge petition commenced when county canvassing board recertified election result after recount, and
- County auditor's failure to telephone voters who failed to sign ballots did not invalidate election.

The 10-day period in which to file election challenge petition commenced when county canvassing board recertified election result after recount, rather than when board initially certified result.

County auditor's failure to telephone voters who failed to respond to mailed notice informing them that they failed to sign their ballots or that their signatures did not match signatures on file with auditor did not void result of school district bond election; although auditor was statutorily required to telephone such voters, statute did not state that election was void if calls were not made, and auditor did mail notice to affected voters, such that they were provided actual notice of defect and opportunity to correct it.