

Diking, Drainage, and Flood Control District Elections

Elections Clearinghouse Notice

Issue #24-06

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This clearinghouse replaces Clearinghouse #07-02 issued November 9, 2007.

Diking, drainage, and flood control district elections are governed by [Title 85 RCW](#). (Flood control districts, although governed by [Title 86 RCW](#), also defer to this chapter.) Verify the type of district conducting the election. Diking, drainage, and flood control districts have similarities; there may also be variations within each category, e.g. drainage districts and drainage improvement districts.

Date of Election

[RCW 29A.04.330\(1\)\(b\)](#) lists the possible election dates each year, with an exemption for “Public utility districts, conservation districts, or district elections at which the ownership of property within those districts is a prerequisite of voting, all of which elections shall be held at the times prescribed in the laws specifically applicable thereto.”

No primary is held for these districts. ([RCW 85.38.070\(3\)](#), [\(4\)](#)) The general election date is prescribed in [RCW 85.38.100](#): “General elections shall be held in each special district on the first Tuesday after the first Monday in February in each even numbered year.”

Voter Qualifications

Voters must own property in the district **and** be a qualified voter anywhere in the state of Washington to be eligible to vote. A voter is not required to be registered to vote in your county to be eligible to vote in a diking, drainage, or flood control election. ([RCW 85.38.010\(3\)\(a\)](#))

A corporation, partnership, or governmental entity that owns property in the district may cast votes. It must designate either one or two natural person(s) to cast its votes. ([RCW 85.38.105\(4\)](#))

The district must provide a list of eligible voters indicating the acreage of property maintained by the district to the County Auditor no later than November 1 preceding the special district general election. If a district does not provide a list, the County Auditor shall compile a list of landowners in the district. The County Auditor shall not be held responsible for any errors in the list. ([RCW 85.38.110](#))

Candidate Filing

Candidate filing must be held no earlier than 60 days before the special general election and no later than 30 days before the special general election. ([RCW 85.38.070\(3\)](#))

The County Auditor, in consultation with the special district, shall establish the filing period. The length of the filing period is not addressed in state law. The Office of the Secretary of State recommends a five-day filing period. ([RCW 85.38.070\(3\)](#))

If only one person files, no election is held and the candidate shall be considered elected. If no one files, filing is not re-opened and the position is not put on the ballot. If no one files and the upcoming election is one at which someone would have been elected to fill the remaining term, the person appointed to the vacancy shall be considered to have been elected. ([RCW 85.38.115](#))

Balloting

Depending on the type of district and when it was formed, multiple ballots are issued to eligible voters. For most districts, each property owner is eligible to cast two ballots; two owners of a property may cast one ballot each. ([RCW 85.38.105\(1-2\)](#))

Voters of drainage improvement districts created after May 14, 1925 and all flood control districts may receive up to 40 votes, depending on acreage owned within the district. (RCWs [85.08.025](#), [86.09.377](#))

Election Conduct

Districts with less than 500 qualified voters must contract with the County Auditor to conduct the election. ([RCW 85.38.125\(1\)](#))

Districts with at least 500 voters may choose to contract with the County Auditor to conduct the election. If the special district chooses to conduct its own election, it must enter into an agreement with the County Auditor that specifies the responsibilities of both parties. ([RCW 85.38.125\(2\)](#))

If a district encompasses multiple counties, the county with the largest geographic portion of the district conducts the election. ([RCW 85.38.120](#))