## Oaths of Office

Elections Clearinghouse Notice Issue #25-10 September 16, 2025

This updated clearinghouse notice replaces Clearinghouse Notice #19-02 issued January 25, 2019.

# Requirements

Every person elected to an office in Washington state, including jurisdictions within counties, cities, and towns, is required by the United States and/or Washington state Constitutions to take an oath of office after the election results have been certified and prior to serving in office. Depending upon the office and tradition, the oath may be attested to either verbally or in writing.

If a qualified candidate must also post a bond, it is not the responsibility of the County Auditor to verify that bond. (RCW 36.16.050)

### **Oath Administration**

<u>RCW 29A.04.133(3)</u> requires that the oath of office be administered and certified by any officer or notary public authorized to administer oaths, without charge.

As long as the oath is regarded by the official qualifying for office as binding, the oath may be administered in any manner by a person authorized to administer oaths. (<u>Washington Constitution Article 1 § 6</u>)

### **Oath Administrators**

Six positions are specifically qualified by statute to administer oaths:

| Judges and Notary Publics   | RCW 5.28.010    |
|-----------------------------|-----------------|
| Clerks of the Courts        | RCW 2.32.050    |
| County Commissioners        | RCW 36.32.120   |
| County Auditors or Deputies | RCW 36.22.030   |
| Town Clerks                 | RCW 35.27.220   |
| School Officials            | RCW 28A.343.360 |

In some offices, the oath must also be given by a specific person when the governing statute so provides. Refer to the governing statute for special requirements of an office.

#### Oath Deadlines

All elected officials must take an oath of office prior to commencing the duties of the office. (RCW 29A.04.133(3))

The terms for Supreme Court justices, judges of the Courts of Appeals, Superior Court judges, District Court judges, and state legislative offices all begin on the second Monday in January. (Washington State Constitution, Article IV §§ 5, 28)

Traditionally, state legislative officers are administered an oath of office at the start of the legislative session. (<u>United States Constitution, Article VI, Clause 3</u>; <u>4 U.S.C. § 101</u>; RCW <u>29A.04.133</u>, <u>44.04.010</u>)

County commissioners are authorized to administer oaths of office to state legislators. (<u>RCW</u> 36.32.120(9))

The state executive officers assume office on the Wednesday after the second Monday in January. Statute specifically mandates the oath of office be administered at the capitol by a State Supreme Court justice. (4 U.S.C.  $\S$  101; RCW 43.01.010 – 020)

County, city, and town officials may take an oath between the date the election is certified and the day before the term of office begins. January 1 is the beginning of terms for county officials, except for charter counties that specify otherwise. January 1 is also the beginning of terms for special purpose districts, with the exception of school district directors or districts where ownership of land is a prerequisite of voting (e.g. diking or flood control districts). (RCW 29A.60.280)

School district directors' terms of office begin at the first official meeting of the board of directors after certification of the election results. (RCW 28A.343.360)

Officials elected to short and full terms must be administered an oath before assuming the duties of the office and again where the full term begins. (RCW 29A.24.020)

The following charts provide information about regular terms, where oaths are filed, and citations for each office. Refer to the specific citation for the administration of the oath for a specific office. (See pp. 3-5)

An informational publication of the Certification and Training Program, Elections Division, Office of the Secretary of State.

| Federal Offices                                | Regular<br>Term Begins  | Where the Oath is Filed  | Citations  |
|--|---|--|--|
| President / Vice<br>President                  | January 20  | Oaths are taken verbally with no signed oath of office, but some presidents sign the text of the oath as souvenirs or for their presidential papers collections.   | <ul> <li>Article II § 1 of the<br/>U.S. Constitution</li> <li>Amendment 20 of<br/>the U.S.<br/>Constitution</li> </ul>   |
| United States<br>Senator and<br>Representative | January 3 or<br>on an<br>alternate day<br>designated by<br>U.S.<br>Congress | <ul> <li>Senate: At the Secretary of the Senate until the Oath Book is full, then filed with the Center for Legislative Archives at the National Archives. The records become publicly available after 20 years.</li> <li>House: At the Office of the Clerk of the House, then filed with the Center for Legislative Archives at the National Archives. The records become publicly available after 30 years.</li> <li>The oaths of office and lists of members taking the oaths are also available via the Congressional Record.</li> </ul> | <ul> <li>Article VI, Clause 3 of the U.S. Constitution</li> <li>Amendment 20 of the U.S. Constitution</li> <li>96<sup>th</sup> Congress, S.Res. 474</li> <li>House Rule VII</li> </ul> |

| State Offices             | Regular Term Begins  | Where the Oath is Filed     | Citations                            |
|---------------------------|----------------------|-----------------------------|--------------------------------------|
| State Executive Officers  | Wednesday following  | Except for the oath of the  | • 4 U.S.C. § 101                     |
| (Governor, Lt. Governor,  | the second Monday in | Secretary of State, all are | • RCW 43.01.010                      |
| Secretary of State, State | January              | filed with the Secretary of | • RCW 43.01.020                      |
| Treasurer, State Auditor, |                      | State.                      | • RCW 43.08.020                      |
| Attorney General,         |                      |                             | • RCW 43.09.010                      |
| Commissioner of Public    |                      | The oath of the Secretary   |                                      |
| Lands, Superintendent of  |                      | of State is filed with the  |                                      |
| Public Instruction,       |                      | State Auditor.              |                                      |
| Insurance                 |                      |                             |                                      |
| Commissioner)             |                      |                             |                                      |
| Judicial Offices          | Second Monday of     | Oath filed with Secretary   | <ul> <li>Washington State</li> </ul> |
| (Supreme Court Justice,   | January              | of State.                   | Constitution                         |
| Court of Appeals Judge,   |                      |                             | Article IV §§ 5, 28                  |
| Superior Court Judge)     |                      |                             |                                      |
| State Legislature         | Second Monday of     | Oaths retained by the       | Article VI, Clause                   |
| Senator or                | January              | House and Senate.           | 3 of the U.S.                        |
| Representative            |                      |                             | Constitution                         |
|                           |                      |                             | • RCW 29A.04.133                     |

When sending an oath to the Office of the Secretary of State for filing, mail the original oath of office with the wet signature to:

Washington State Secretary of State Archives Division – Official Filings PO Box 40238 Olympia, WA 98504-0238

A copy of the filing will be made available online at the digital archives.

When sending an oath for a state legislator to the Senate or House for retention, mail the original oath of office with the wet signature to:

For state senators: Secretary of the Senate PO Box 40482 Olympia, WA 98502

For state representatives: Chief Clerk's Office PO Box 40600 Olympia, WA 98504-0600

| County Special Purpose Districts  | Regular Term Begins   | Where the Oath is Filed            | Citations   |
|---|---|------------------------------------|---|
| County Officials     Executive Officers   | January 1   | Oath filed with County Auditor.    | • RCW 29A.60.280<br>• RCW 36.16.040<br>• RCW 36.16.060  |
| District Court Judges   | Second Monday in January  | Oath filed with County Auditor.    | • RCW 3.34.070<br>• RCW 3.34.080  |
| <ul><li>City and Town<br/>Officials</li><li>Executive Officers</li><li>Municipal Court<br/>Judges</li></ul> | January 1   | Oath filed with<br>County Auditor. | <ul> <li>RCW 29A.60.280</li> <li>RCW 35.27.120</li> <li>RCW 35.23.081</li> <li>RCW 35A.12.040, 080</li> <li>RCW 35A.13.160</li> </ul> |
| Municipal Court<br>Judges   | Cities over 400,000:<br>Second Monday in<br>January  For all others, January 1. | Oath filed with County Auditor.    | <ul><li>RCW 3.50.050</li><li>RCW 3.50.097</li><li>RCW 35.20.140</li></ul>   |
| Port District<br>Commissioners  | January 1   | Oath filed with County Auditor.    | • RCW 29A.60.280<br>• RCW 53.12.172   |
| Public Utility District<br>Commissioners  | January 1   | Oath filed with County Auditor.    | • RCW 29A.60.280<br>• RCW 54.12.100   |
| School Directors  | Begins at first official meeting following certification of the election.       | Oath filed with County Auditor.    | • RCW 28A.343.360   |
| <ul><li>Fire Protection     District     Commissioners</li><li>District Secretary</li></ul>                 | January 1   | Oath filed with County Auditor.    | <ul><li>RCW 29A.60.280</li><li>RCW 52.14.070</li><li>RCW 52.14.080</li></ul>  |
| Sewer, Water,<br>Hospital Districts'<br>Commissioners   | January 1   | Oath filed with County Auditor.    | <ul><li>RCW 29A.60.280</li><li>RCW 57.12.030</li><li>RCW 70.44.040</li></ul>  |
| Cemetery Districts  | January 1   | Oath filed with County Auditor.    | • RCW 29A.60.280<br>• RCW 68.52.260   |
| Park and Recreation Districts' Commissioners  | January 1   | Oath filed with<br>County Auditor. | • RCW 35.61.050   |
| Jurisdictions requiring land ownership (e.g., diking/flood control districts)                               | Upon certification of the election.   | No statutory reference available.  | • RCW 85.24.070<br>• RCW 85.38.070<br>• RCW 86.09.301   |