

Initiative Measure No. 2020

Filed January 5, 2024

AN ACT Relating to municipal councilmember and commission terms of office; amending RCW 35.02.139, 35.06.080, 35.17.020, 35.17.400, 35.18.020, 35.18.270, 35.22.235, 35.22.245, 35.23.051, 35.23.805, 35.27.090, 35.30.080, 35A.02.050, 35A.02.055, 35A.12.010, 35A.12.040, and 35A.13.010; and creating new sections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** The intent of this act is to ensure more democracy in municipal governments and the opportunity for voters to effect or change the entire leadership, except mayorships, every two years. Terms of office for municipal councilmembers, whether a mayor-council plan of government, a council-city manager plan of government, or a city commission plan of government, shall be limited to two years.

Sec. 2. RCW 35.02.139 and 2015 c 53 s 19 are each amended to read as follows:

An election shall be held to elect city or town elected officials at the next municipal general election occurring more than twelve months after the date of the first election of councilmembers or commissioners. Candidates shall run for specific council or commission positions. (~~The staggering of terms of members of the city or town council shall be established at this election, where the simple majority of the persons elected as councilmembers receiving the greatest numbers of votes shall be elected to four-year terms of office and the remainder of the~~) The persons elected as councilmembers shall be elected to two-year terms of office. Newly elected councilmembers or newly elected commissioners shall serve until their successors are elected and qualified. The terms of office of newly elected commissioners shall not be staggered, as provided in chapter 35.17 RCW. All councilmembers and commissioners who are elected subsequently shall be elected to (~~four-year~~) two-year terms of office and shall serve until their successors are

elected and qualified and assume office in accordance with RCW 29A.60.280.

Sec. 3. RCW 35.06.080 and 2015 c 53 s 20 are each amended to read as follows:

The first election of officers of the new corporation after the advancement of classification is approved shall be at the next general municipal election and the officers of the old corporation, as altered by the election when the advancement was approved, shall remain in office until the officers of the new corporation are elected and qualified and assume office in accordance with RCW 29A.60.280. A primary shall be held where necessary to nominate candidates for the elected offices of the corporation as a second-class city. Candidates for city council positions shall run for specific council positions. The council of the old corporation may adopt a resolution providing that the offices of city attorney, clerk, and treasurer are appointive.

The (~~three~~) persons who are elected to council positions (~~one through six receiving the greatest number of votes shall be elected to four-year terms of office and the other three persons who are elected to council positions one through six, and the person elected to council position seven,~~) shall be elected to two-year terms of office. The person elected as mayor and the persons elected to any other elected office shall be elected to four-year terms of office. All successors to all elected positions, other than council position number seven, shall be elected to four-year terms of office and successors to council position number seven shall be elected to two-year terms of office.

There shall be no election of town offices at this election when the first officers of the new corporation are elected and the offices of the town shall expire when the officers of the new corporation assume office.

The ordinances, bylaws, and resolutions adopted by the old corporation shall, as far as consistent with the provisions of this

title, continue in force until repealed by the council of the new corporation.

The council and officers of the town shall, upon demand, deliver to the proper officers of the new corporation all books of record, documents, and papers in their possession belonging to the old corporation.

Sec. 4. RCW 35.17.020 and 2013 c 11 s 87 are each amended to read as follows:

(1) ~~((All regular elections in cities organized under the statutory commission form of government shall be held quadrennially in the odd-numbered years on the dates provided in RCW 29A.04.330. However, after commissioners are elected at the next general election occurring in 1995 or 1997, regular))~~ Regular elections in cities organized under a statutory commission form of government shall be held biennially at municipal general elections.

(2) The commissioners shall be nominated and elected at large. Their terms shall be for ~~((four))~~ two years and until their successors are elected and qualified and assume office in accordance with RCW 29A.60.280. ~~((However, at the next regular election of a city organized under a statutory commission form of government, the terms of office of commissioners shall occur with the person who is elected as a commissioner receiving the least number of votes being elected to a two-year term of office and the other two persons who are elected being elected to four-year terms of office. Thereafter, commissioners shall be elected to four-year terms of office.))~~

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

Sec. 5. RCW 35.17.400 and 2015 c 53 s 31 are each amended to read as follows:

The first election of commissioners shall be held at the next special election that occurs at least sixty days after the election results are certified where the proposition to organize under the

commission form was approved by city voters, and the commission first elected shall commence to serve as soon as they have been elected and have qualified and shall continue to serve until their successors have been elected and qualified and have assumed office in accordance with RCW 29A.60.280. The date of the second election for commissioners shall be in accordance with RCW 29A.04.330 such that the term of the first commissioners will be as near as possible to, but not in excess of, (~~four~~) two years calculated from the first day in January in the year after the year in which the first commissioners were elected.

Sec. 6. RCW 35.18.020 and 2015 c 53 s 32 are each amended to read as follows:

(1) The number of councilmembers in a city or town operating with a council-manager plan of government shall be based upon the latest population of the city or town that is determined by the office of financial management as follows:

(a) A city or town having not more than two thousand inhabitants, five councilmembers; and

(b) A city or town having more than two thousand, seven councilmembers.

(2) (~~Except for the initial staggering of terms, councilmembers~~) Councilmembers shall serve for (~~four-year~~) two-year terms of office. All councilmembers shall serve until their successors are elected and qualified and assume office in accordance with RCW 29A.60.280. Councilmembers may be elected on a citywide or townwide basis, or from wards or districts, or any combination of these alternatives. Candidates shall run for specific positions. Wards or districts shall be redrawn as provided in chapter 29A.76 RCW. Wards or districts shall be used as follows: (a) Only a resident of the ward or district may be a candidate for, or hold office as, a councilmember of the ward or district; and (b) only voters of the ward or district may vote at a primary to nominate candidates for a councilmember of the ward or district. Voters of

the entire city or town may vote at the general election to elect a councilmember of a ward or district, unless the city or town had prior to January 1, 1994, limited the voting in the general election for any or all council positions to only voters residing within the ward or district associated with the council positions. If a city or town had so limited the voting in the general election to only voters residing within the ward or district, then the city or town shall be authorized to continue to do so.

(3) When a city or town has qualified for an increase in the number of councilmembers from five to seven by virtue of the next succeeding population determination made by the office of financial management, two additional council positions shall be filled at the next municipal general election (~~((with the person elected to one of the new council positions receiving the greatest number of votes being elected for a four-year term of office and the person elected to the other additional council position))~~) with each person being elected for a two-year term of office. The two additional councilmembers shall assume office immediately when qualified in accordance with RCW 29A.04.133, but the term of office shall be computed from the first day of January after the year in which they are elected. Their successors shall be elected to (~~((four-year))~~) two-year terms of office.

Prior to the election of the two new councilmembers, the city or town council shall fill the additional positions by appointment not later than forty-five days following the release of the population determination, and each appointee shall hold office only until the new position is filled by election.

(4) When a city or town has qualified for a decrease in the number of councilmembers from seven to five by virtue of the next succeeding population determination made by the office of financial management, two council positions shall be eliminated at the next municipal general election if four council positions normally would be filled at that election, or one council position shall be eliminated at each of the next two succeeding municipal general

elections if three council positions normally would be filled at the first municipal general election after the population determination. The council shall by ordinance indicate which, if any, of the remaining positions shall be elected at large or from wards or districts.

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

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

If the majority of the votes cast at a special election for organization on the council-manager plan favor the plan, the city or town shall elect the council required under the council-manager plan in number according to its population at the next municipal general election. However, special elections shall be held to nominate and elect the new city councilmembers at the next primary and general election held in an even-numbered year if the next municipal general election is more than one year after the date of the election at which the voters approved the council-manager plan. (~~The staggering of terms of office shall occur at the election when the new councilmembers are elected, where the simple majority of the~~) The persons elected as councilmembers (~~(receiving the greatest numbers of votes shall be elected to four-year terms of office if the election is held in an odd-numbered year, or three-year terms of office if the election is held in an even-numbered year, and the remainder of the persons elected as councilmembers)~~) shall be elected to two-year terms of office if the election is held in an odd-numbered year, or one-year terms of office if the election is held in an even-numbered year. The initial councilmembers shall take office immediately when they are elected and qualified, but the lengths of their terms of office shall be calculated from the first day in January in the year following the election.

Sec. 8. RCW 35.22.235 and 2015 c 53 s 37 are each amended to read as follows:

All regular elections in first-class cities having a mayor-council form of government whose charters provide for twelve councilmembers elected for a term of two years, two being elected from each of six wards, and for the election of a mayor, treasurer, and comptroller for terms of two years, shall be held biennially as provided in RCW 29A.04.330. The term of each councilmember, mayor, treasurer, and comptroller shall be ~~((four))~~ two years and until his or her successor is elected and qualified and assumes office in accordance with RCW 29A.60.280. ~~((The terms of the councilmembers shall be so staggered that six councilmembers shall be elected to office at each regular election.))~~

Sec. 9. RCW 35.22.245 and 2015 c 53 s 38 are each amended to read as follows:

All regular elections in first-class cities having a mayor-council form of government whose charters provide for seven councilmembers, one to be elected from each of six wards and one at large, for a term of two years, and for the election of a mayor, comptroller, treasurer and attorney for two year terms, shall be held biennially as provided in RCW 29A.04.330. The terms of the six councilmembers to be elected by wards shall be ~~((four))~~ two years and until their successors are elected and qualified and the term of the councilmember to be elected at large shall be two years and until their successors are elected and qualified. ~~((The terms of the councilmembers shall be so staggered that three ward councilmembers and the councilmember at large shall be elected at each regular election.))~~ The term of the mayor, attorney, treasurer, and comptroller shall be four years and until their successors are elected and qualified and assume office in accordance with RCW 29A.60.280.

Sec. 10. RCW 35.23.051 and 2019 c 454 s 5 are each amended to read as follows:

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

The terms of office of the mayor, city attorney, clerk, and treasurer shall be four years and until their successors are elected and qualified and assume office in accordance with RCW 29A.60.280: PROVIDED, That if the offices of city attorney, clerk, and treasurer are made appointive, the city attorney, clerk, and treasurer shall not be appointed for a definite term: PROVIDED FURTHER, That the term of the elected treasurer shall not commence in the same biennium in which the term of the mayor commences, nor in which the terms of the city attorney and clerk commence if they are elected.

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

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

wards to which they are assigned for purposes of determining whether those positions are vacant.

Whenever such city is so divided into wards, the city council shall designate by ordinance the number of councilmembers to be elected from each ward, apportioning the same in proportion to the population of the wards. Thereafter the councilmembers so designated shall be elected by the voters resident in such ward, or by general vote of the whole city as may be designated in such ordinance. Council position seven shall not be associated with a ward and the person elected to that position may reside anywhere in the city and voters throughout the city may vote at a primary to nominate candidates for position seven, when a primary is necessary, and at a general election to elect the person to council position seven. Additional territory that is added to the city shall, by act of the council, be annexed to contiguous wards without affecting the right to redistrict at the expiration of twenty months after last previous division. The removal of a councilmember from the ward for which he or she was elected shall create a vacancy in such office.

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

Sec. 11. RCW 35.23.805 and 2015 c 53 s 40 are each amended to read as follows:

In a city initially classified as a second-class city prior to January 1, 1993, that retained its second-class city plan of government when the city reorganized as a noncharter code city, the terms of office of mayor, city clerk, and city treasurer (~~and councilmembers~~) shall be four years and the terms of councilmembers shall be two years, and until their successors are elected and qualified and assume office in accordance with RCW 29A.60.280 (~~(, but not more than six councilmembers normally shall be elected in any one year to fill a full term)~~).

Sec. 12. RCW 35.27.090 and 2009 c 549 s 2056 are each amended to read as follows:

All general municipal elections in towns shall be held biennially in the odd-numbered years as provided in RCW 29A.04.330. The term of office of the mayor and treasurer shall be four years and until their successors are elected and qualified and assume office in accordance with RCW (~~(29A.20.040)~~) 29A.60.280: PROVIDED, That the term of the treasurer shall not commence in the same biennium in which the term of the mayor commences. Councilmembers shall be elected for (~~(four)~~) two-year terms and until their successors are elected and qualified and assume office in accordance with RCW (~~(29A.20.040; three at one election and two at the next succeeding biennial election)~~) 29A.60.280.

Sec. 13. RCW 35.30.080 and 2015 c 53 s 42 are each amended to read as follows:

(1) When a majority of the legislative body of an unclassified city determines that it would serve the best interests and general welfare of such municipality to change the election procedures of such city to the procedures specified in this section, such legislative body may, by resolution, declare its intention to adopt such procedures for the city. Such resolution must be adopted at

least one hundred eighty days before the general municipal election at which the new election procedures are implemented. Within ten days after the passage of the resolution, the legislative body shall cause it to be published at least once in a newspaper of general circulation within the city.

(2) All general municipal elections in an unclassified city adopting a resolution under subsection (1) of this section shall be held biennially in the odd-numbered years as provided in RCW 29A.04.330 and shall be held in accordance with the general election laws of the state.

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

Sec. 14. RCW 35A.02.050 and 2015 c 53 s 48 are each amended to read as follows:

The first election of officers where required for reorganization under a different general plan of government newly adopted in a manner provided in RCW 35A.02.020, 35A.02.030, 35A.06.030, or 35A.06.060, as now or hereafter amended, shall be at the next general municipal election if one is to be held more than ninety days but not more than one hundred and eighty days after certification of a reorganization ordinance or resolution, or otherwise at a special election to be held for that purpose in accordance with RCW 29A.04.330. In the event that the first election

of officers is to be held at a general municipal election, such election shall be preceded by a primary election pursuant to RCW 29A.52.210 and 29A.04.311. In the event that the first election of all officers is to be held at a special election rather than at a general election, and notwithstanding any provisions of any other law to the contrary, such special election shall be preceded by a primary election to be held on a date authorized by RCW 29A.04.321, and the persons nominated at that primary election shall be voted upon at the next succeeding special election that is authorized by RCW 29A.04.321: PROVIDED, That in the event the ordinances calling for reclassification or reclassification and reorganization under the provisions of (~~Title 35A RCW~~) this title have been filed with the secretary of state pursuant to RCW 35A.02.040 in an even-numbered year at least ninety days prior to a state general election then the election of new officers shall be concurrent with the state primary and general election and shall be conducted as set forth in general election law.

Upon reorganization, candidates for all offices shall file or be nominated for and successful candidates shall be elected to specific council positions. The initial terms of office for those elected at a first election of all officers shall be as follows: (~~(1) A simple majority of the persons who are elected as councilmembers receiving the greatest numbers of votes and the mayor in a city with a mayor-council plan of government shall be elected to four-year terms of office, if the election is held in an odd-numbered year, or three-year terms of office, if the election is held in an even-numbered year; and (2) the other persons~~) Persons who are elected as councilmembers shall be elected to two-year terms of office, if the election is held in an odd-numbered year, or one-year terms of office, if the election is held in an even-numbered year. The newly elected officials shall take office immediately when they are elected and qualified, but the length of their terms of office shall be calculated from the first day of January in the year following the election. Thereafter, each person elected as a councilmember

~~((or mayor))~~ in a city with a mayor-council plan of government shall be elected to a ~~((four-year))~~ two-year term of office and the person elected as a mayor shall be elected to a four-year term of office.

Each councilmember and mayor in a city with a mayor-council plan of government shall serve until a successor is elected and qualified and assumes office as provided in RCW 29A.60.280.

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

Sec. 15. RCW 35A.02.055 and 2009 c 549 s 3001 are each amended to read as follows:

Where a city elects to become a noncharter code city under one of the optional plans of government provided in Title 35A RCW for code cities which involves the same general plan of government as that under which the city operated prior to the choice and where with the change in classification the number of council positions in a city remains the same or increases from five to seven, the procedures for the first election of officers which appear in RCW 35A.02.050 shall not be followed. When membership in a city council remains the same or is increased upon becoming a noncharter code city, the terms of incumbent councilmembers shall not be affected. If the number of councilmembers is increased from five to seven, the city council shall, by majority vote, pursuant to RCW 35A.12.050 and 35A.13.020, appoint two persons to serve in these offices until the next municipal general election, at which election ~~((one))~~ the persons shall be elected for ~~((a))~~ two-year terms ~~((and one person shall be elected for a four-year term))~~.

A first election of all officers upon a change in classification to a noncharter code city is also not required where the change in classification otherwise retains the same general or specific plan

of government and where the change in classification results in a decrease in the number of council positions in a city.

If the membership in a city council is decreased from seven to five members upon adopting the classification of noncharter code city, this decrease in the number of councilmembers shall be determined in the following manner: The councilmembers shall determine by lot which two council positions shall be eliminated upon the expiration of their terms of office. The terms of the remaining councilmembers shall not be affected.

Sec. 16. RCW 35A.12.010 and 2011 c 14 s 1 are each amended to read as follows:

The government of any noncharter code city or charter code city electing to adopt the mayor-council plan of government authorized by this chapter shall be vested in an elected mayor and an elected council. The council of a noncharter code city having less than twenty-five hundred inhabitants shall consist of five members; when there are twenty-five hundred or more inhabitants, the council shall consist of seven members. A city with a population of less than twenty-five hundred at the time of reclassification as an optional municipal code city may choose to maintain a seven-member council. The decision concerning the number of councilmembers shall be made by the council and be incorporated as a section of the ordinance adopting for the city the classification of noncharter code city. If the population of a city after having become a code city decreases from twenty-five hundred or more to less than twenty-five hundred, it shall continue to have a seven-member council. If, after a city has become a mayor-council code city, its population increases to twenty-five hundred or more inhabitants, the number of council offices in such city may increase from five to seven members upon the affirmative vote of a majority of the existing council to increase the number of council offices in the city. When the population of a mayor-council code city having five council offices increases to five thousand or more inhabitants, the number of

council offices in the city shall increase from five to seven members. In the event of an increase in the number of council offices, the city council shall, by majority vote, pursuant to RCW 35A.12.050, appoint two persons to serve in these offices until the next municipal general election, at which election (~~(one)~~) the persons shall be elected for ~~((a))~~ two-year terms (~~(and one person shall be elected for a four-year term)~~). The number of inhabitants shall be determined by the most recent official state or federal census or determination by the state office of financial management. A charter adopted under the provisions of this title, incorporating the mayor-council plan of government set forth in this chapter, may provide for an uneven number of councilmembers not exceeding eleven. For the purposes of determining population under this section, cities may include or exclude the population of any state correctional facility located within the city.

A noncharter code city of less than five thousand inhabitants which has elected the mayor-council plan of government and which has seven council offices may establish a five-member council in accordance with the following procedure. At least six months prior to a municipal general election, the city council shall adopt an ordinance providing for reduction in the number of council offices to five. The ordinance shall specify which two council offices, the terms of which expire at the next general election, are to be terminated. The ordinance shall provide for the renumbering of council positions (~~(and shall also provide for a two-year extension of the term of office of a retained council office, if necessary, in order to comply with RCW 35A.12.040)~~).

However, a noncharter code city that has retained its old mayor-council plan of government, as provided in RCW 35A.02.130, is subject to the laws applicable to that old plan of government.

Sec. 17. RCW 35A.12.040 and 2015 c 53 s 52 are each amended to read as follows:

Officers shall be elected at biennial municipal elections to be conducted as provided in chapter 35A.29 RCW. The mayor (~~and the councilmembers~~) shall be elected for a four-year term(~~s~~) of office and councilmembers shall be elected to two-year terms of office and until their successors are elected and qualified and assume office in accordance with RCW 29A.60.280. At any first election upon reorganization, councilmembers shall be elected as provided in RCW 35A.02.050. Thereafter the requisite number of councilmembers shall be elected biennially as the terms of their predecessors expire and shall serve for terms of (~~four~~) two years. The positions to be filled on the city council shall be designated by consecutive numbers and shall be dealt with as separate offices for all election purposes. Election to positions on the council shall be by majority vote from the city at large, unless provision is made by charter or ordinance for election by wards. The mayor and councilmembers shall qualify by taking an oath or affirmation of office and as may be provided by law, charter, or ordinance.

Sec. 18. RCW 35A.13.010 and 2011 c 14 s 2 are each amended to read as follows:

The councilmembers shall be the only elective officers of a code city electing to adopt the council-manager plan of government authorized by this chapter, except where statutes provide for an elective municipal judge. The council shall appoint an officer whose title shall be "city manager" who shall be the chief executive officer and head of the administrative branch of the city government. The city manager shall be responsible to the council for the proper administration of all affairs of the code city. The council of a noncharter code city having less than twenty-five hundred inhabitants shall consist of five members; when there are twenty-five hundred or more inhabitants the council shall consist of seven members: PROVIDED, That if the population of a city after having become a code city decreases from twenty-five hundred or more to less than twenty-five hundred, it shall continue to have a seven-

member council. If, after a city has become a council-manager code city its population increases to twenty-five hundred or more inhabitants, the number of council offices in such city may increase from five to seven members upon the affirmative vote of a majority of the existing council to increase the number of council offices in the city. When the population of a council-manager code city having five council offices increases to five thousand or more inhabitants, the number of council offices in the city shall increase from five to seven members. In the event of an increase in the number of council offices, the city council shall, by majority vote, pursuant to RCW 35A.13.020, appoint two persons to serve in these offices until the next municipal general election, at which election (~~(one)~~) two persons shall be elected for a two-year term (~~(and one person shall be elected for a four-year term)~~). The number of inhabitants shall be determined by the most recent official state or federal census or determination by the state office of financial management. A charter adopted under the provisions of this title, incorporating the council-manager plan of government set forth in this chapter may provide for an uneven number of councilmembers not exceeding eleven.

A noncharter code city of less than five thousand inhabitants which has elected the council-manager plan of government and which has seven council offices may establish a five-member council in accordance with the following procedure. At least six months prior to a municipal general election, the city council shall adopt an ordinance providing for reduction in the number of council offices to five. The ordinance shall specify which two council offices, the terms of which expire at the next general election, are to be terminated. The ordinance shall provide for the renumbering of council positions (~~(and shall also provide for a two-year extension of the term of office of a retained council office, if necessary, in order to comply with RCW 35A.12.040)~~).

However, a noncharter code city that has retained its old council-manager plan of government, as provided in RCW 35A.02.130, is subject to the laws applicable to that old plan of government.

For the purposes of determining population under this section, cities may include or exclude the population of any state correctional facility located within the city.

NEW SECTION. **Sec. 19.** The change of term years for elective offices up for election in 2025 shall take effect, under the provisions of this act, upon the 2025 primary municipal elections, general municipal elections, and special municipal elections except those special elections where temporary terms are set for less than two years. The change of term years for elective offices not up for election in 2025 shall take effect, under the provisions of this act, upon the next election prior to term expiration except those special elections where temporary terms are set for less than two years.

NEW SECTION. **Sec. 20.** The provisions of this act are to be liberally construed to achieve its purposes.

NEW SECTION. **Sec. 21.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

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