



Secretary of State

Kim Wyma

Oaths of Office

Clearinghouse Elections Notice

Issue #19-02

January 25, 2019

This updated Clearinghouse (with chart) replaces Clearinghouse #18-02 issued May 23, 2018.

Before an elected official may assume office, election results must be certified and the winner must swear to an oath or affirmation of office (RCW 29A.04.133). If a qualified candidate must also post a bond, it is not the responsibility of the County Auditor to verify that bond.

Who is required to take an oath of office?

Every person elected to an office in the State of Washington, including jurisdictions within counties, cities, and towns is required by our state and federal constitutions to take an oath prior to serving in office. Depending upon the office and tradition, the oath may be attested to either verbally or in writing.

How should an oath be administered to a candidate?

RCW 29A.04.133 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 (Washington Constitution Art 1 § 6).

Who should administer an oath?

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.

When should an oath of office be taken?

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

The terms for Supreme Court justices, judges of the Court of Appeals, Superior Court judges, District Court judges, and state legislative offices all begin on the second Monday in January.

Traditionally, state legislative officers are administered an oath of office at the start of the legislative session.

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 capital by a State Supreme Court justice.

County, city and town officials may take an oath either at the last regular meeting of the governing body for which they were elected or within 10 days before the term of office begins. January 1st is the beginning of terms for county officials, except for charter counties that specify otherwise. January 1st 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).

School district directors' terms of office begin at the first official meeting of the board of directors after certification of the election results.

Officials elected to unexpired terms must be administered an oath before assuming the duties of the office.

Officials elected to short term and full terms must be administered an oath before assuming the duties of the office and again when the full term begins.

The following chart provides 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. 3-4)*

Clearinghouse 18-02: Oaths of Office

State and Federal Offices	Regular Term Begins	Where the Oath is Filed	Citations
President / Vice President	January 20		<i>Article II, Section I of the U.S. Constitution & Amendment 20</i>
United States Senator and Representative	January 3 or on alternate day designated by Congress		<i>Article VI, Section 3 of the U.S. Constitution & Amendment 20</i>
State Executive Officers Governor Lt. Governor Secretary of State State Treasurer State Auditor Attorney General Commission of Public Lands Superintendent Of Public Instruction Insurance Commissioner	Wednesday following the 2 nd Monday in January	Except for the oath of the Secretary of State, all are filed with Secretary of State. The oath of the Secretary of State is filed with the State Auditor.	<i>RCW 43.01.010 RCW 43.01.020 RCW 43.08.020 RCW 43.09.010 4 USC sec. 101</i>
Supreme Court Justice Court of Appeals Judge Superior Court Judge	2 nd Monday of January	Oath filed with Secretary of State.	<i>Washington State Constitution Art IV, Sec 5, 28 RCW 2.04.080 RCW 2.06.070, 085</i>
State Legislature Senator Representative	2 nd Monday of January	Oaths retained by the House and Senate.	<i>Article VI of the U.S. Constitution RCW 29A.04.133</i>

County Special Purpose Districts	Regular Term Begins	Where the Oath is Filed	Citations
County Officials Executive Officers	January 1	Oath filed with County Auditor.	<i>RCW 29A.60.280</i> <i>RCW 36.16.040</i> <i>RCW 36.16.060</i>
District Court Judges	Second Monday in January	Oath filed with County Auditor.	<i>RCW 3.34.070</i> <i>RCW 3.34.080</i>
City and Town Officials Executive Officers Municipal Court Judges	January 1	Oath filed with County Auditor.	<i>RCW 29A.60.280</i> <i>RCW 35.27.120</i> <i>RCW 35.23.081</i> <i>RCW 35A.12.040, 080</i> <i>RCW 35A.13.160</i>
Municipal Court Judges	Cities over 400,000- 2 nd Monday in January. For all others, January 1	Oath filed with County Auditor.	<i>RCW 3.50.050</i> <i>RCW 3.50.097</i> <i>RCW 35.20.140</i>
Port District Commissioners	January 1	Oath filed with County Auditor.	<i>RCW 29A.60.280</i> <i>RCW 53.12.172</i>
Public Utility District Commissioners	January 1	Oath filed with County Auditor.	<i>RCW 29A.60.280</i> <i>RCW 54.12.100</i>
School Directors	Begins at first official meeting following certification of election	Oath filed with County Auditor.	<i>RCW 28A.343.360</i>
Fire Protection District Commissioners District Secretary	January 1	Oath filed with County Auditor.	<i>RCW 29A.60.280</i> <i>RCW 52.14.070</i> <i>RCW 52.14.080</i>
Sewer, Water, Hospital Districts Commissioners	January 1	Oath filed with County Auditor.	<i>RCW 29A.60.280</i> <i>RCW 57.12.030</i> <i>RCW 70.44.040</i>
Cemetery Districts	January 1	Oath filed with County Auditor.	<i>RCW 29A.60.280</i> <i>RCW 68.52.260</i>
Park and Recreation District Commissioners	January 1	Oath filed with County Auditor.	<i>RCW 35.61.050</i>
Jurisdictions requiring land ownership (e.g. diking / flood control districts)	Upon certification of election	No statutory reference available.	<i>RCW 85.24.070</i> <i>RCW 85.38.070</i> <i>RCW 86.09.301</i>

*An information publication of the Certification and Training Program, Elections Division, Office of the Secretary of State
P.O. Box 40229 WA 98504-0229, (360) 902-4180, ctsupport@sos.wa.gov*