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**SUBSTITUTE HOUSE BILL 1120**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** House Committee on Education (originally sponsored by Representatives Koster, Costa, Johnson and Scott; by request of Board of Education)

Read first time 02/10/97.

1 AN ACT Relating to school district territory included in city and  
2 town boundary extensions; amending RCW 28A.315.250; and declaring an  
3 emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 28A.315.250 and 1985 c 385 s 19 are each amended to  
6 read as follows:

7 Each incorporated city or town in the state shall be comprised in  
8 one school district: PROVIDED, That nothing in this section shall be  
9 construed: (1) To prevent the extension of the boundaries of a school  
10 district beyond the limits of the city or town contained therein, or  
11 (2) to prevent the inclusion of two or more incorporated cities or  
12 towns in a single school district, or (3) to change or disturb the  
13 boundaries of any school district organized prior to the incorporation  
14 of any city or town, except as hereafter in this section provided.

15 In case all or any part of a school district that operates a school  
16 or schools on one site only or operates elementary schools only on two  
17 or more sites is included in an incorporated city or town through the  
18 extension of the limits of such city or town in the manner provided by  
19 law, the (~~educational service district superintendent shall: (1)~~)

1 Declare)) regional committee may, in its discretion, prepare a proposal  
2 for transfer of any part or all of the territory so included to ((be a  
3 part of)) the school district containing the city or town and ((+2)),  
4 whenever a part of a district so included contains a school building of  
5 the district, ((~~present to the regional committee a proposal~~)) for the  
6 disposition of any part or all of the remaining territory of the  
7 district.

8 In case of the extension of the limits of a town to include  
9 territory lying in a school district that operates on more than one  
10 site one or more elementary schools and one or more junior high schools  
11 or high schools, the regional committee ((~~shall~~)) may, in its  
12 discretion, prepare a proposal or proposals for annexation to the  
13 school district in which the town is located any part or all of the  
14 territory aforesaid which has been included in the town and for  
15 annexation to the school district in which the town is located or to  
16 some other school district or districts any part or all of the  
17 remaining territory of the school district affected by extension of the  
18 limits of the town: PROVIDED, That where no school or school site is  
19 located within the territory annexed to the town and not less than  
20 seventy-five percent of the registered voters residing within the  
21 annexed territory present a petition in writing for annexation and  
22 transfer of said territory to the school district in which the town is  
23 located, the educational service district superintendent shall declare  
24 the territory so included to be a part of the school district  
25 containing said town: PROVIDED FURTHER, That territory approved for  
26 annexation to a city or town by vote of the electors residing therein  
27 prior to January 12, 1953, shall not be subject to the provisions  
28 herein respecting annexation to a school district or school districts:  
29 AND PROVIDED FURTHER, That the provisions and procedural requirements  
30 of this chapter as now or hereafter amended not in conflict with or  
31 inconsistent with the provisions hereinabove in this section stated  
32 shall apply in the case of any proposal or proposals (1) for the  
33 alteration of the boundaries of school districts through and by means  
34 of annexation of territory as aforesaid, and (2) for the adjustment of  
35 the assets and liabilities of the school districts involved or affected  
36 thereby.

37 In case of the incorporation of a city or town containing territory  
38 lying in two or more school districts or of the uniting of two or more  
39 cities or towns not located in the same school district, the

1 educational service district superintendent, except where the  
2 incorporation or consolidation would affect a district or districts of  
3 the first class, shall: (1) Order and declare to be established in  
4 each such case a single school district comprising all of the school  
5 districts involved, and (2) designate each such district by name and by  
6 a number different from that of any other district in existence in the  
7 county.

8 The educational service district superintendent shall fix as the  
9 effective date of any declaration or order required under this section  
10 a date no later than the first day of September next succeeding the  
11 date of the issuance of such declaration or order.

12 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
13 preservation of the public peace, health, or safety, or support of the  
14 state government and its existing public institutions, and takes effect  
15 immediately.

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