

FINAL BILL REPORT

HB 2358

C 76 L 02

Synopsis as Enacted

Brief Description: Revising provisions relating to annexation of unincorporated territory with boundaries contiguous to two municipal corporations.

Sponsors: By Representatives Upthegrove and Schual-Berke.

House Committee on Local Government & Housing
Senate Committee on State & Local Government

Background:

Water-sewer districts, water districts, and sewer districts (districts) may annex territory that is in the county or in close proximity in another county. The annexation process is initiated with a petition signed by 10 percent of the registered voters who reside in the proposed district requesting a vote on the subject of annexation. If there are no voters residing in the district, the petition may be signed by the property owners of the majority of the acreage. The commissioners of the district must concur with the proposed annexation and then must submit the petition to the county legislative authority for an election on the proposed annexation.

The board of commissioners of a district may by resolution annex unincorporated territory within a district that is less than 100 acres, with at least 80 percent of the boundaries contiguous to the district. The effective date of such annexation must be 45 days after the initial resolution to allow residents of the proposed territory the opportunity to file a referendum petition for a vote on the issue. If the annexation is to be contested, the referendum must be signed by at least 10 percent of the registered voters in the proposed area. The annexation is deemed approved unless a majority of the voters vote in opposition to the annexation.

A municipal corporation (city, town, or water-sewer district) that provides water service may annex a parcel of unincorporated territory that: a) is less than 100 acres in size; and b) has at least 80 percent of the boundaries contiguous to two municipal corporations, one of which is a water-sewer district. The legislative authority of the annexing municipal corporation must pass a resolution stating the intent to annex, and have concurrence of a majority of the legislative authority of the other municipal corporation contiguous to the proposed area.

Summary:

A municipal corporation providing sewer service is authorized to annex a parcel of unincorporated territory that is less than 100 acres and has at least 80 percent of its boundaries contiguous to two municipal corporations, one of which is a water-sewer district.

Votes on Final Passage:

House 96 1
House 97 0 (House reconsidered)
Senate 46 0

Effective: June 13, 2002