
SENATE BILL 5849

State of Washington

57th Legislature

2001 Regular Session

By Senators Gardner, Patterson, Winsley, McDonald and Kohl-Welles; by request of Secretary of State

Read first time 02/06/2001. Referred to Committee on State & Local Government.

1 AN ACT Relating to changing the date of the primary; amending RCW
2 29.13.070, 29.13.010, 29.13.020, 29.15.020, 29.15.150, 29.15.170,
3 29.15.180, 29.15.190, 29.15.230, 29.19.030, 29.24.020, 29.30.075,
4 29.62.020, 42.12.040, 42.17.710, 42.52.185, 27.12.355, 27.12.370,
5 35.06.070, 35.13.1821, 35.61.360, 35A.14.299, 36.93.030, 52.02.080,
6 52.04.056, 52.04.071, 53.04.110, 54.08.010, 54.08.070, 57.04.050, and
7 70.44.235; repealing RCW 29.01.160; and providing an effective date.

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

9 **Sec. 1.** RCW 29.13.070 and 1977 ex.s. c 361 s 29 are each amended
10 to read as follows:

11 Nominating primaries for general elections to be held in November
12 shall be held at the regular polling places in each precinct on the
13 ((third)) second Tuesday of the preceding ((September or on the seventh
14 Tuesday immediately preceding such general election, whichever occurs
15 first)) June.

16 **Sec. 2.** RCW 29.13.010 and 1994 c 142 s 1 are each amended to read
17 as follows:

1 (1) All state, county, city, town, and district general elections
2 for the election of federal, state, legislative, judicial, county,
3 city, town, district, and precinct officers, and for the submission to
4 the voters of the state, county, city, town, or district of any measure
5 for their adoption and approval or rejection, shall be held on the
6 first Tuesday after the first Monday of November, in the year in which
7 they may be called. A statewide general election shall be held on the
8 first Tuesday after the first Monday of November of each year:
9 PROVIDED, That the statewide general election held in odd-numbered
10 years shall be limited to (a) city, town, and district general
11 elections as provided for in RCW 29.13.020, or as otherwise provided by
12 law; (b) the election of federal officers for the remainder of any
13 unexpired terms in the membership of either branch of the congress of
14 the United States; (c) the election of state and county officers for
15 the remainder of any unexpired terms of offices created by or whose
16 duties are described in Article II, section 15, Article III, sections
17 16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3 and 5 of the
18 state Constitution and RCW 2.06.080; (d) the election of county
19 officers in any county governed by a charter containing provisions
20 calling for general county elections at this time; and (e) the approval
21 or rejection of state measures, including proposed constitutional
22 amendments, matters pertaining to any proposed constitutional
23 convention, initiative measures and referendum measures proposed by the
24 electorate, referendum bills, and any other matter provided by the
25 legislature for submission to the electorate.

26 (2) A county legislative authority may, if it deems an emergency to
27 exist, call a special county election by presenting a resolution to the
28 county auditor at least (~~forty-five~~) fifty days prior to the proposed
29 election date. Except as provided in subsection (4) of this section,
30 a special election called by the county legislative authority shall be
31 held on one of the following dates as decided by such governing body:

- 32 (a) The first Tuesday after the first Monday in February;
- 33 (b) The second Tuesday in March;
- 34 (c) The fourth Tuesday in April;
- 35 (d) (~~The third Tuesday in May;~~
- 36 ~~(e)~~) The day of the primary as specified by RCW 29.13.070;
- 37 (e) The first Tuesday after the second Wednesday in September; or
- 38 (f) The first Tuesday after the first Monday in November.

1 (3) In addition to the dates set forth in subsection (2)(a) through
2 (f) of this section, a special election to validate an excess levy or
3 bond issue may be called at any time to meet the needs resulting from
4 fire, flood, earthquake, or other act of God. Such county special
5 election shall be noticed and conducted in the manner provided by law.

6 (4) In a presidential election year, if a presidential preference
7 primary is conducted in February, March, or April(~~(, or May)~~) under
8 chapter 29.19 RCW, the date on which a special election may be called
9 by the county legislative authority under subsection (2) of this
10 section during the month of that primary is the date of the
11 presidential primary.

12 (5) This section shall supersede the provisions of any and all
13 other statutes, whether general or special in nature, having different
14 dates for such city, town, and district elections, the purpose of this
15 section being to establish mandatory dates for holding elections except
16 for those elections held pursuant to a home-rule charter adopted under
17 Article XI, section 4 of the state Constitution. This section shall
18 not be construed as fixing the time for holding primary elections, or
19 elections for the recall of any elective public officer.

20 **Sec. 3.** RCW 29.13.020 and 1994 c 142 s 2 are each amended to read
21 as follows:

22 (1) All city, town, and district general elections shall be held
23 throughout the state of Washington on the first Tuesday following the
24 first Monday in November in the odd-numbered years.

25 This section shall not apply to:

26 (a) Elections for the recall of any elective public officer;

27 (b) Public utility districts or district elections at which the
28 ownership of property within those districts is a prerequisite to
29 voting, all of which elections shall be held at the times prescribed in
30 the laws specifically applicable thereto;

31 (c) Consolidation proposals as provided for in chapter 28A.315 RCW
32 (~~((28A.315-280))~~) and nonhigh capital fund aid proposals as provided for
33 in chapter 28A.540 RCW.

34 (2) The county auditor, as ex officio supervisor of elections, upon
35 request in the form of a resolution of the governing body of a city,
36 town, or district, presented to the auditor at least (~~((forty-five))~~)
37 fifty days prior to the proposed election date, may, if the county
38 auditor deems an emergency to exist, call a special election in such

1 city, town, or district, and for the purpose of such special election
2 he or she may combine, unite, or divide precincts. Except as provided
3 in subsection (3) of this section, such a special election shall be
4 held on one of the following dates as decided by the governing body:

5 (a) The first Tuesday after the first Monday in February;

6 (b) The second Tuesday in March;

7 (c) The fourth Tuesday in April;

8 (d) ~~((The third Tuesday in May;~~

9 ~~(e)))~~ The day of the primary election as specified by RCW
10 29.13.070;

11 (e) The first Tuesday after the second Wednesday in September; or

12 (f) The first Tuesday after the first Monday in November.

13 (3) In a presidential election year, if a presidential preference
14 primary is conducted in February, March, or April(~~(, or May)~~) under
15 chapter 29.19 RCW, the date on which a special election may be called
16 under subsection (2) of this section during the month of that primary
17 is the date of the presidential primary.

18 (4) In addition to subsection (2)(a) through (f) of this section,
19 a special election to validate an excess levy or bond issue may be
20 called at any time to meet the needs resulting from fire, flood,
21 earthquake, or other act of God, except that no special election may be
22 held between the first day for candidates to file for public office and
23 the last day to certify the returns of the general election other than
24 as provided in subsection (2)(~~(e)~~) (d) and (f) of this section. Such
25 special election shall be conducted and notice thereof given in the
26 manner provided by law.

27 (5) This section shall supersede the provisions of any and all
28 other statutes, whether general or special in nature, having different
29 dates for such city, town, and district elections, the purpose of this
30 section being to establish mandatory dates for holding elections.

31 **Sec. 4.** RCW 29.15.020 and 1990 c 59 s 81 are each amended to read
32 as follows:

33 Except where otherwise provided by this title, declarations of
34 candidacy for the following offices shall be filed during regular
35 business hours with the filing officer no earlier than ~~((the fourth
36 Monday in July))~~ sixty-four days before the date of the primary
37 established by RCW 29.13.070 and no later than the following Friday in
38 the year in which the office is scheduled to be voted upon:

1 (1) Offices that are scheduled to be voted upon for full terms or
2 both full terms and short terms at, or in conjunction with, a state
3 general election; and

4 (2) Offices where a vacancy, other than a short term, exists that
5 has not been filled by election and for which an election to fill the
6 vacancy is required in conjunction with the next state general
7 election.

8 This section supersedes all other statutes that provide for a
9 different filing period for these offices.

10 **Sec. 5.** RCW 29.15.150 and 1973 c 4 s 3 are each amended to read as
11 follows:

12 Whenever it shall be necessary to hold a special election in an
13 odd-numbered year to fill an unexpired term of any office which is
14 scheduled to be voted upon for a full term in an even-numbered year, no
15 ((September)) primary election shall be held in the odd-numbered year
16 if, after the last day allowed for candidates to withdraw, either of
17 the following circumstances exist:

18 (1) No more than one candidate of each qualified political party
19 has filed a declaration of candidacy for the same partisan office to be
20 filled; or

21 (2) No more than two candidates have filed a declaration of
22 candidacy for a single nonpartisan office to be filled.

23 In either event, the officer with whom the declarations of
24 candidacy were filed shall immediately notify all candidates concerned
25 and the names of the candidates that would have been printed upon the
26 ((September)) primary ballot, but for the provisions of this section,
27 shall be printed as nominees for the positions sought upon the November
28 general election ballot.

29 **Sec. 6.** RCW 29.15.170 and 1975-'76 2nd ex.s. c 120 s 10 are each
30 amended to read as follows:

31 Filings for a nonpartisan office shall be reopened for a period of
32 three normal business days, such three day period to be fixed by the
33 election officer with whom such declarations of candidacy are filed and
34 notice thereof given by notifying press, radio, and television in the
35 county and by such other means as may now or hereafter be provided by
36 law whenever before the ((fourth)) seventh Tuesday prior to a primary:

37 (1) A void in candidacy occurs;

1 (2) A vacancy occurs in any nonpartisan office leaving an unexpired
2 term to be filled by an election for which filings have not been held;
3 or

4 (3) A nominee for judge of the superior court entitled to a
5 certificate of election pursuant to Article 4, section 29, Amendment 41
6 of the state Constitution, dies or is disqualified.

7 Candidacies validly filed within said three-day period shall appear
8 on the ballot as if made during the earlier filing period.

9 **Sec. 7.** RCW 29.15.180 and 1975-'76 2nd ex.s. c 120 s 11 are each
10 amended to read as follows:

11 Filings for a nonpartisan office (other than judge of the supreme
12 court or superintendent of public instruction) shall be reopened for a
13 period of three normal business days, such three day period to be fixed
14 by the election officer with whom such declarations of candidacy are
15 filed and notice thereof given by notifying press, radio, and
16 television in the county and by such other means as may now or
17 hereafter be provided by law, when:

18 (1) A void in candidacy for such nonpartisan office occurs on or
19 after the (~~fourth~~) seventh Tuesday prior to a primary but prior to
20 the (~~fourth~~) seventh Tuesday before an election; or

21 (2) A nominee for judge of the superior court eligible after a
22 contested primary for a certificate of election by Article 4, section
23 29, Amendment 41 of the state Constitution, dies or is disqualified
24 within the ten day period when a petition for write-in candidacy may be
25 received; or

26 (3) A vacancy occurs in any nonpartisan office on or after the
27 (~~fourth~~) seventh Tuesday prior to a primary but prior to the
28 (~~fourth~~) seventh Tuesday before an election leaving an unexpired term
29 to be filled by an election for which filings have not been held.

30 The candidate receiving a plurality of the votes cast for that
31 office in the general election shall be deemed elected.

32 **Sec. 8.** RCW 29.15.190 and 1975-'76 2nd ex.s. c 120 s 12 are each
33 amended to read as follows:

34 A scheduled election shall be lapsed, the office deemed stricken
35 from the ballot, no purported write-in votes counted, and no candidate
36 certified as elected, when:

1 (1) In an election for judge of the supreme court or superintendent
2 of public instruction, a void in candidacy occurs on or after the
3 (~~fourth~~) seventh Tuesday prior to a primary, public filings and the
4 primary being an indispensable phase of the election process for such
5 offices;

6 (2) Except as otherwise specified in RCW 29.15.180, as now or
7 hereafter amended, a nominee for judge of the superior court entitled
8 to a certificate of election pursuant to Article 4, section 29,
9 Amendment 41 of the state Constitution dies or is disqualified on or
10 after the (~~fourth~~) seventh Tuesday prior to a primary;

11 (3) In other elections for nonpartisan office a void in candidacy
12 occurs or a vacancy occurs involving an unexpired term to be filled on
13 or after the (~~fourth~~) seventh Tuesday prior to an election.

14 **Sec. 9.** RCW 29.15.230 and 1981 c 180 s 2 are each amended to read
15 as follows:

16 Filings for a partisan elective office shall be opened for a period
17 of three normal business days whenever, on or after the first day of
18 the regular filing period and before the (~~fourth~~) seventh Tuesday
19 prior to a primary, a vacancy occurs in that office, leaving an
20 unexpired term to be filled by an election for which filings have not
21 been held.

22 Any such special three-day filing period shall be fixed by the
23 election officer with whom declarations of candidacy for that office
24 are filed. The election officer shall give notice of the special
25 three-day filing period by notifying the press, radio, and television
26 in the county or counties involved, and by such other means as may be
27 required by law.

28 Candidacies validly filed within the special three-day filing
29 period shall appear on the primary ballot as if filed during the
30 regular filing period.

31 **Sec. 10.** RCW 29.19.030 and 1989 c 4 s 3 (Initiative Measure No.
32 99) are each amended to read as follows:

33 The name of any candidate for a major political party nomination
34 for president of the United States shall be printed on the presidential
35 preference primary ballot of a major political party only:

1 (1) By direction of the secretary of state, who in the secretary's
2 sole discretion has determined that the candidate's candidacy is
3 generally advocated or is recognized in national news media; or

4 (2) If members of the political party of the candidate have
5 presented a petition for nomination of the candidate that has attached
6 to the petition a sheet or sheets containing the signatures of at least
7 one thousand registered voters who declare themselves in the petition
8 as being affiliated with the same political party as the presidential
9 candidate. The petition shall be filed with the secretary of state not
10 later than the (~~thirty-ninth~~) fiftieth day before the presidential
11 preference primary. The signature sheets shall also contain the
12 residence address and name or number of the precinct of each registered
13 voter whose signature appears thereon and shall be certified in the
14 manner prescribed in RCW 29.79.200 and 29.79.210.

15 The secretary of state shall place the name of the candidate on the
16 ballot unless the candidate, at least (~~thirty-five~~) forty-five days
17 before the presidential preference primary, executes and files with the
18 secretary of state an affidavit stating without qualification that he
19 or she is not now and will not become a candidate for the office of
20 president of the United States at the forthcoming presidential
21 election. The secretary of state shall certify the names of all
22 candidates who will appear on the presidential preference primary
23 ballot to the respective county auditors on or before the fourth
24 Tuesday in April of each presidential election year.

25 **Sec. 11.** RCW 29.24.020 and 1989 c 215 s 2 are each amended to read
26 as follows:

27 Any nomination of a candidate for partisan public office by other
28 than a major political party shall only be made either: (1) In a
29 convention held not earlier than the (~~last Saturday in June and not~~
30 ~~later than the first Saturday in July or during any of the seven days~~
31 ~~immediately preceding~~) forty-fourth day nor later than the sixteenth
32 day before the first day for filing declarations of candidacy as fixed
33 in accordance with RCW 29.68.080; or (2) as provided by RCW
34 (~~29.51.170~~) 29.62.180. A minor political party may hold more than
35 one convention but in no case shall any such party nominate more than
36 one candidate for any one partisan public office or position. For the
37 purpose of nominating candidates for the offices of president and vice-
38 president, United States senator, or a statewide office, a minor party

1 or independent candidate holding multiple conventions may add together
2 the number of signatures of different individuals from each convention
3 obtained in support of the candidate or candidates in order to obtain
4 the number required by RCW 29.24.030. For all other offices for which
5 nominations are made, signatures of the requisite number of registered
6 voters must be obtained at a single convention.

7 **Sec. 12.** RCW 29.30.075 and 1987 c 54 s 1 are each amended to read
8 as follows:

9 Except where a recount or litigation under RCW 29.04.030 is
10 pending, the county auditor shall have sufficient absentee ballots
11 ready to mail to absentee voters of that county, other than overseas
12 voters or service voters, at least twenty days before any primary,
13 general election, or special election. At least thirty days before a
14 primary, general election, or special election, the county auditor
15 shall mail absentee ballots to all overseas and service voters who have
16 submitted valid requests for absentee ballots. A request for an
17 absentee ballot made by an overseas voter or service voter after that
18 day must be processed immediately.

19 **Sec. 13.** RCW 29.62.020 and 1999 c 259 s 4 are each amended to read
20 as follows:

21 (1) At least every third day after a special election, primary, or
22 general election and before certification of the election results,
23 except Sundays and legal holidays, the county auditor shall convene the
24 county canvassing board or their designees to process absentee ballots
25 and canvass the votes cast at that special election, primary, or
26 general election, if the county auditor is in possession of more than
27 twenty-five ballots that have yet to be canvassed. The county auditor
28 may use his or her discretion in determining when to convene the
29 canvassing board or their designees during the final four days before
30 the certification of election results in order to protect the secrecy
31 of any ballot.

32 Each absentee ballot previously not canvassed that was received by
33 the county auditor two days or more before the convening of the
34 canvassing board or their designees and that either was received by the
35 county auditor before the closing of the polls on the day of the
36 special election, primary, or general election for which it was issued,
37 or that bears a date of mailing on or before the special election,

1 primary, or general election for which it was issued, must be processed
2 at that time. The tabulation of votes that results from that day's
3 canvass must be made available to the general public immediately upon
4 completion of the canvass.

5 (2) On the (~~tenth~~) fifteenth day after a special election ((or
6 a)), primary (~~(and on the fifteenth day after a)~~), or general election,
7 the canvassing board shall complete the canvass and certify the
8 results. Each absentee ballot that was returned before the closing of
9 the polls on the date of the primary or election for which it was
10 issued, and each absentee ballot with a date of mailing on or before
11 the date of the primary or election for which it was issued and
12 received on or before the date on which the primary or election is
13 certified, shall be included in the canvass report.

14 (3) At the request of any caucus of the state legislature, the
15 county auditor shall transmit copies of all unofficial returns of state
16 and legislative primaries or elections prepared by or for the county
17 canvassing board to either the secretary of the senate or the chief
18 clerk of the house.

19 **Sec. 14.** RCW 42.12.040 and 1981 c 180 s 1 are each amended to read
20 as follows:

21 If a vacancy occurs in any partisan elective office in the
22 executive or legislative branches of state government or in any
23 partisan county elective office before the (~~fourth~~) seventh Tuesday
24 prior to the primary for the next general election following the
25 occurrence of the vacancy, a successor shall be elected to that office
26 at that general election. Except during the last year of the term of
27 office, if such a vacancy occurs on or after the (~~fourth~~) seventh
28 Tuesday prior to the primary for that general election, the election of
29 the successor shall occur at the next succeeding general election. The
30 elected successor shall hold office for the remainder of the unexpired
31 term. This section shall not apply to any vacancy occurring in a
32 charter county which has charter provisions inconsistent with this
33 section.

34 **Sec. 15.** RCW 42.17.710 and 1993 c 2 s 11 are each amended to read
35 as follows:

36 During the period beginning on the thirtieth day before the date a
37 regular legislative session convenes and continuing (~~thirty days~~

1 ~~past~~)) through the date of final adjournment, and during the period
2 beginning on the date a special legislative session convenes and
3 continuing through the date that session adjourns, no state official or
4 a person employed by or acting on behalf of a state official or state
5 legislator may solicit or accept contributions to a public office fund,
6 to a candidate or authorized committee, or to retire a campaign debt.

7 **Sec. 16.** RCW 42.52.185 and 1997 c 320 s 1 are each amended to read
8 as follows:

9 (1) During the twelve-month period beginning on December 1st of the
10 year before a general election for a state legislator's election to
11 office and continuing through November 30th immediately after the
12 general election, the legislator may not mail, either by regular mail
13 or electronic mail, to a constituent at public expense a letter,
14 newsletter, brochure, or other piece of literature, except as follows:

15 (a) The legislator may mail two mailings of newsletters to
16 constituents. All newsletters within each mailing of newsletters must
17 be identical as to their content but not as to the constituent name or
18 address. One such mailing may be mailed no later than thirty days
19 after the start of a regular legislative session, except that a
20 legislator appointed during a regular legislative session to fill a
21 vacant seat may have up to thirty days from the date of appointment to
22 send out the first mailing. The other mailing may be mailed no (~~later~~
23 ~~than sixty days after the end of a regular legislative session~~)
24 earlier than one day after the date of the primary established by RCW
25 29.13.070 and no later than fifteen days after the date of the primary.

26 (b) The legislator may mail an individual letter to (i) an
27 individual constituent who has contacted the legislator regarding the
28 subject matter of the letter during the legislator's current term of
29 office; (ii) an individual constituent who holds a governmental office
30 with jurisdiction over the subject matter of the letter; or (iii) an
31 individual constituent who has received an award or honor of
32 extraordinary distinction of a type that is sufficiently infrequent to
33 be noteworthy to a reasonable person, including, but not limited to:

34 (A) An international or national award such as the Nobel prize or the
35 Pulitzer prize; (B) a state award such as Washington scholar; (C) an
36 Eagle Scout award; and (D) a Medal of Honor.

1 (2) For purposes of subsection (1) of this section, "legislator"
2 means a legislator who is a "candidate," as defined by RCW 42.17.020,
3 for any public office.

4 (3) A violation of this section constitutes use of the facilities
5 of a public office for the purpose of assisting a campaign under RCW
6 42.52.180.

7 (4) The house of representatives and senate shall specifically
8 limit expenditures per member for the total cost of mailings. Those
9 costs include, but are not limited to, production costs, printing
10 costs, and postage costs. The limits imposed under this subsection
11 apply only to the total expenditures on mailings per member and not to
12 any categorical cost within the total.

13 (5) For purposes of this section, persons residing outside the
14 legislative district represented by the legislator are not considered
15 to be constituents, but students, military personnel, or others
16 temporarily employed outside of the district who normally reside in the
17 district are considered to be constituents.

18 **Sec. 17.** RCW 27.12.355 and 1987 c 138 s 1 are each amended to read
19 as follows:

20 (1) As provided in this section, a rural county library district,
21 island library district, or intercounty rural library district may
22 withdraw areas from its boundaries, or reannex areas into the library
23 district that previously had been withdrawn from the library district
24 under this section.

25 (2) The withdrawal of an area shall be authorized upon: (a)
26 Adoption of a resolution by the board of trustees requesting the
27 withdrawal and finding that, in the opinion of the board, inclusion of
28 this area within the library district will result in a reduction of the
29 district's tax levy rate under the provisions of RCW 84.52.010; and (b)
30 adoption of a resolution by the city or town council approving the
31 withdrawal, if the area is located within the city or town, or adoption
32 of a resolution by the county legislative authority of the county
33 within which the area is located approving the withdrawal, if the area
34 is located outside of a city or town. A withdrawal shall be effective
35 at the end of the day on the thirty-first day of December in the year
36 in which the resolutions are adopted, but for purposes of establishing
37 boundaries for property tax purposes, the boundaries shall be
38 established immediately upon the adoption of the second resolution.

1 The authority of an area to be withdrawn from a library district as
2 provided under this section is in addition, and not subject, to the
3 provisions of RCW 27.12.380.

4 The withdrawal of an area from the boundaries of a library district
5 shall not exempt any property therein from taxation for the purpose of
6 paying the costs of redeeming any indebtedness of the library district
7 existing at the time of the withdrawal.

8 (3) An area that has been withdrawn from the boundaries of a
9 library district under this section may be reannexed into the library
10 district upon: (a) Adoption of a resolution by the board of trustees
11 proposing the reannexation; and (b) adoption of a resolution by the
12 city or town council approving the reannexation, if the area is located
13 within the city or town, or adoption of a resolution by the county
14 legislative authority of the county within which the area is located
15 approving the reannexation, if the area is located outside of a city or
16 town. The reannexation shall be effective at the end of the day on the
17 thirty-first day of December in the year in which the adoption of the
18 second resolution occurs, but for purposes of establishing boundaries
19 for property tax purposes, the boundaries shall be established
20 immediately upon the adoption of the second resolution. Referendum
21 action on the proposed reannexation may be taken by the voters of the
22 area proposed to be reannexed if a petition calling for a referendum is
23 filed with the city or town council, or county legislative authority,
24 within a thirty-day period after the adoption of the second resolution,
25 which petition has been signed by registered voters of the area
26 proposed to be reannexed equal in number to ten percent of the total
27 number of the registered voters residing in that area.

28 If a valid petition signed by the requisite number of registered
29 voters has been so filed, the effect of the resolutions shall be held
30 in abeyance and a ballot proposition to authorize the reannexation
31 shall be submitted to the voters of the area at the next special
32 election date specified in RCW 29.13.020 that occurs (~~forty-five~~)
33 fifty or more days after the petitions have been validated. Approval
34 of the ballot proposition authorizing the reannexation by a simple
35 majority vote shall authorize the reannexation.

36 **Sec. 18.** RCW 27.12.370 and 1982 c 123 s 14 are each amended to
37 read as follows:

1 The county legislative authority or authorities shall by resolution
2 call a special election to be held in such city or town at the next
3 date provided in RCW 29.13.010 but not less than (~~forty-five~~) fifty
4 days from the date of the declaration of such finding, and shall cause
5 notice of such election to be given as provided for in RCW 29.27.080.

6 The election on the annexation of the city or town into the library
7 district shall be conducted by the auditor of the county or counties in
8 which the city or town is located in accordance with the general
9 election laws of the state and the results thereof shall be canvassed
10 by the canvassing board of the county or counties. No person shall be
11 entitled to vote at such election unless he or she is registered to
12 vote in said city or town for at least thirty days preceding the date
13 of the election. The ballot proposition shall be in substantially the
14 following form:

15 "Shall the city or town of be annexed to and be a part
16 of library district?

17 YES 1
18 NO 1 "

19 If a majority of the persons voting on the proposition shall vote
20 in favor thereof, the city or town shall thereupon be annexed and shall
21 be a part of such library district.

22 **Sec. 19.** RCW 35.06.070 and 1994 c 81 s 8 are each amended to read
23 as follows:

24 A ballot proposition authorizing an advancement in classification
25 of a town to a second class city shall be submitted to the voters of
26 the town if either: (1) Petitions proposing the advancement are
27 submitted to the town clerk that have been signed by voters of the town
28 equal in number to at least ten percent of the voters of the town
29 voting at the last municipal general election; or (2) the town council
30 adopts a resolution proposing the advancement. The clerk shall
31 immediately forward the petitions to the county auditor who shall
32 review the signatures and certify the sufficiency of the petitions.

33 A ballot proposition authorizing an advancement shall be submitted
34 to the town voters at the next municipal general election occurring
35 (~~forty-five~~) fifty or more days after the petitions are submitted if
36 the county auditor certifies the petitions as having sufficient valid
37 signatures. The town shall be advanced to a second class city if the

1 ballot proposition is approved by a simple majority vote, effective
2 when the corporation is actually reorganized and the new officers are
3 elected and qualified. The county auditor shall notify the secretary
4 of state if the advancement of a town to a second class city is
5 approved.

6 **Sec. 20.** RCW 35.13.1821 and 1998 c 286 s 2 are each amended to
7 read as follows:

8 The annexation ordinance provided for in RCW 35.13.182 is subject
9 to referendum for forty-five days after its passage. Upon the filing
10 of a timely and sufficient referendum petition with the legislative
11 body, signed by qualified electors in number equal to not less than ten
12 percent of the votes cast in the last general state election in the
13 area to be annexed, the question of annexation shall be submitted to
14 the voters of the area in a general election if one is to be held
15 within ninety days or at a special election called for that purpose not
16 less than (~~forty-five~~) fifty days nor more than ninety days after the
17 filing of the referendum petition. Notice of the election shall be
18 given as provided in RCW 35.13.080 and the election shall be conducted
19 as provided in the general election law. The annexation shall be
20 deemed approved by the voters unless a majority of the votes cast on
21 the proposition are in opposition thereto.

22 After the expiration of the forty-fifth day from but excluding the
23 date of passage of the annexation ordinance, if no timely and
24 sufficient referendum petition has been filed, the area annexed shall
25 become a part of the city or town upon the date fixed in the ordinance
26 of annexation.

27 **Sec. 21.** RCW 35.61.360 and 1987 c 138 s 2 are each amended to read
28 as follows:

29 (1) As provided in this section, a metropolitan park district may
30 withdraw areas from its boundaries, or reannex areas into the
31 metropolitan park district that previously had been withdrawn from the
32 metropolitan park district under this section.

33 (2) The withdrawal of an area shall be authorized upon: (a)
34 Adoption of a resolution by the park district commissioners requesting
35 the withdrawal and finding that, in the opinion of the commissioners,
36 inclusion of this area within the metropolitan park district will
37 result in a reduction of the district's tax levy rate under the

1 provisions of RCW 84.52.010; and (b) adoption of a resolution by the
2 city or town council approving the withdrawal, if the area is located
3 within the city or town, or adoption of a resolution by the county
4 legislative authority of the county within which the area is located
5 approving the withdrawal, if the area is located outside of a city or
6 town. A withdrawal shall be effective at the end of the day on the
7 thirty-first day of December in the year in which the resolutions are
8 adopted, but for purposes of establishing boundaries for property tax
9 purposes, the boundaries shall be established immediately upon the
10 adoption of the second resolution.

11 The withdrawal of an area from the boundaries of a metropolitan
12 park district shall not exempt any property therein from taxation for
13 the purpose of paying the costs of redeeming any indebtedness of the
14 metropolitan park district existing at the time of the withdrawal.

15 (3) An area that has been withdrawn from the boundaries of a
16 metropolitan park district under this section may be reannexed into the
17 metropolitan park district upon: (a) Adoption of a resolution by the
18 park district commissioners proposing the reannexation; and (b)
19 adoption of a resolution by the city or town council approving the
20 reannexation, if the area is located within the city or town, or
21 adoption of a resolution by the county legislative authority of the
22 county within which the area is located approving the reannexation, if
23 the area is located outside of a city or town. The reannexation shall
24 be effective at the end of the day on the thirty-first day of December
25 in the year in which the adoption of the second resolution occurs, but
26 for purposes of establishing boundaries for property tax purposes, the
27 boundaries shall be established immediately upon the adoption of the
28 second resolution. Referendum action on the proposed reannexation may
29 be taken by the voters of the area proposed to be reannexed if a
30 petition calling for a referendum is filed with the city or town
31 council, or county legislative authority, within a thirty-day period
32 after the adoption of the second resolution, which petition has been
33 signed by registered voters of the area proposed to be reannexed equal
34 in number to ten percent of the total number of the registered voters
35 residing in that area.

36 If a valid petition signed by the requisite number of registered
37 voters has been so filed, the effect of the resolutions shall be held
38 in abeyance and a ballot proposition to authorize the reannexation
39 shall be submitted to the voters of the area at the next special

1 election date specified in RCW 29.13.020 that occurs (~~forty-five~~)
2 fifty or more days after the petitions have been validated. Approval
3 of the ballot proposition authorizing the reannexation by a simple
4 majority vote shall authorize the reannexation.

5 **Sec. 22.** RCW 35A.14.299 and 1967 ex.s. c 119 s 35A.14.299 are each
6 amended to read as follows:

7 Such annexation ordinance as provided for in RCW 35A.14.297 shall
8 be subject to referendum for forty-five days after the passage thereof.
9 Upon the filing of a timely and sufficient referendum petition with the
10 legislative body, signed by qualified electors in number equal to not
11 less than ten percent of the votes cast in the last general state
12 election in the area to be annexed, the question of annexation shall be
13 submitted to the voters of such area in a general election if one is to
14 be held within ninety days or at a special election called for that
15 purpose not less than (~~forty-five~~) fifty days nor more than ninety
16 days after the filing of the referendum petition. Notice of such
17 election shall be given as provided in RCW 35A.14.070 and the election
18 shall be conducted as provided in RCW (~~35A.14.060~~) 35A.29.151. The
19 annexation shall be deemed approved by the voters unless a majority of
20 the votes cast on the proposition are in opposition thereto.

21 After the expiration of the forty-fifth day from but excluding the
22 date of passage of the annexation ordinance, if no timely and
23 sufficient referendum petition has been filed, the area annexed shall
24 become a part of the code city upon the date fixed in the ordinance of
25 annexation. From and after such date, if the ordinance so provided,
26 property in the annexed area shall be subject to the proposed zoning
27 regulation prepared and filed for such area as provided in RCW
28 35A.14.330 and 35A.14.340. If the ordinance so provided, all property
29 within the area annexed shall be assessed and taxed at the same rate
30 and on the same basis as the property of such annexing code city is
31 assessed and taxed to pay for any then outstanding indebtedness of such
32 city contracted prior to, or existing at, the date of annexation.

33 **Sec. 23.** RCW 36.93.030 and 1991 c 363 s 91 are each amended to
34 read as follows:

35 (1) There is hereby created and established in each county with a
36 population of two hundred ten thousand or more a board to be known and
37 designated as a "boundary review board".

1 (2) A boundary review board may be created and established in any
2 other county in the following manner:

3 (a) The county legislative authority may, by majority vote, adopt
4 a resolution establishing a boundary review board; or

5 (b) A petition seeking establishment of a boundary review board
6 signed by qualified electors residing in the county equal in number to
7 at least five percent of the votes cast in the county at the last
8 county general election may be filed with the county auditor.

9 Upon the filing of such a petition, the county auditor shall
10 examine the same and certify to the sufficiency of the signatures
11 thereon. No person may withdraw his or her name from a petition after
12 it has been filed with the auditor. Within thirty days after the
13 filing of such petition, the county auditor shall transmit the same to
14 the county legislative authority, together with his or her certificate
15 of sufficiency.

16 After receipt of a valid petition for the establishment of a
17 boundary review board, the county legislative authority shall submit
18 the question of whether a boundary review board should be established
19 to the electorate at the next county primary or county general election
20 which occurs more than (~~forty-five~~) fifty days from the date of
21 receipt of the petition. Notice of the election shall be given as
22 provided in RCW 29.27.080 and shall include a clear statement of the
23 proposal to be submitted.

24 If a majority of the persons voting on the proposition shall vote
25 in favor of the establishment of the boundary review board, such board
26 shall thereupon be deemed established.

27 **Sec. 24.** RCW 52.02.080 and 1989 c 63 s 6 are each amended to read
28 as follows:

29 The election on the formation of the district and to elect the
30 initial fire commissioners shall be conducted by the election officials
31 of the county or counties in which the proposed district is located in
32 accordance with the general election laws of the state. This election
33 shall be held at the next general election date, as specified under RCW
34 29.13.020, that occurs (~~forty-five~~) fifty or more days after the date
35 of the action by the boundary review board, or county legislative
36 authority or authorities, approving the proposal.

1 **Sec. 25.** RCW 52.04.056 and 1989 c 63 s 11 are each amended to read
2 as follows:

3 (1) As provided in this section, a fire protection district may
4 withdraw areas from its boundaries, or reannex areas into the fire
5 protection district that previously had been withdrawn from the fire
6 protection district under this section.

7 (2) The withdrawal of an area shall be authorized upon: (a)
8 Adoption of a resolution by the board of fire commissioners requesting
9 the withdrawal and finding that, in the opinion of the board, inclusion
10 of this area within the fire protection district will result in a
11 reduction of the district's tax levy rate under the provisions of RCW
12 84.52.010; and (b) adoption of a resolution by the city or town council
13 approving the withdrawal, if the area is located within the city or
14 town, or adoption of a resolution by the county legislative authority
15 or authorities of the county or counties within which the area is
16 located approving the withdrawal, if the area is located outside of a
17 city or town. A withdrawal shall be effective at the end of the day on
18 the thirty-first day of December in the year in which the resolutions
19 are adopted, but for purposes of establishing boundaries for property
20 tax purposes, the boundaries shall be established immediately upon the
21 adoption of the second resolution.

22 The authority of an area to be withdrawn from a fire protection
23 district as provided under this section is in addition, and not
24 subject, to the provisions of RCW 52.04.101.

25 The withdrawal of an area from the boundaries of a fire protection
26 district shall not exempt any property therein from taxation for the
27 purpose of paying the costs of redeeming any indebtedness of the fire
28 protection district existing at the time of the withdrawal.

29 (3) An area that has been withdrawn from the boundaries of a fire
30 protection district under this section may be reannexed into the fire
31 protection district upon: (a) Adoption of a resolution by the board of
32 fire commissioners proposing the reannexation; and (b) adoption of a
33 resolution by the city or town council approving the reannexation, if
34 the area is located within the city or town, or adoption of a
35 resolution by the county legislative authority or authorities of the
36 county or counties within which the area is located approving the
37 reannexation, if the area is located outside of a city or town. The
38 reannexation shall be effective at the end of the day on the thirty-
39 first day of December in the year in which the adoption of the second

1 resolution occurs, but for purposes of establishing boundaries for
2 property tax purposes, the boundaries shall be established immediately
3 upon the adoption of the second resolution. Referendum action on the
4 proposed reannexation may be taken by the voters of the area proposed
5 to be reannexed if a petition calling for a referendum is filed with
6 the city or town council, or county legislative authority or
7 authorities, within a thirty-day period after the adoption of the
8 second resolution, which petition has been signed by registered voters
9 of the area proposed to be reannexed equal in number to ten percent of
10 the total number of the registered voters residing in that area.

11 If a valid petition signed by the requisite number of registered
12 voters has been so filed, the effect of the resolutions shall be held
13 in abeyance and a ballot proposition to authorize the reannexation
14 shall be submitted to the voters of the area at the next special
15 election date specified in RCW 29.13.020 that occurs (~~forty-five~~)
16 fifty or more days after the petitions have been validated. Approval
17 of the ballot proposition authorizing the reannexation by a simple
18 majority vote shall authorize the reannexation.

19 **Sec. 26.** RCW 52.04.071 and 1984 c 230 s 16 are each amended to
20 read as follows:

21 The county legislative authority or authorities shall by resolution
22 call a special election to be held in the city or town and in the fire
23 protection district at the next date provided in RCW 29.13.010 but not
24 less than (~~forty-five~~) fifty days from the date of the declaration of
25 the finding, and shall cause notice of the election to be given as
26 provided for in RCW 29.27.080.

27 The election on the annexation of the city or town into the fire
28 protection district shall be conducted by the auditor of the county or
29 counties in which the city or town and the fire protection district are
30 located in accordance with the general election laws of the state. The
31 results thereof shall be canvassed by the canvassing board of the
32 county or counties. No person is entitled to vote at the election
33 unless he or she is a qualified elector in the city or town or unless
34 he or she is a qualified elector within the boundaries of the fire
35 protection district. The ballot proposition shall be in substantially
36 the following form:

1 "Shall the city or town of be annexed to and be a part
2 of fire protection district?

3 YES L
4 NO L "

5 If a majority of the persons voting on the proposition in the city
6 or town and a majority of the persons voting on the proposition in the
7 fire protection district vote in favor thereof, the city or town shall
8 be annexed and shall be a part of the fire protection district.

9 **Sec. 27.** RCW 53.04.110 and 1998 c 240 s 1 are each amended to read
10 as follows:

11 Any port district now existing or which may hereafter be organized
12 under the laws of the state of Washington is hereby authorized to
13 change its corporate name under the following conditions and in the
14 following manner:

15 (1) On presentation, at least (~~forty-five~~) fifty days before any
16 general port election to be held in the port district, of a petition to
17 the commissioners of any port district now existing or which may
18 hereafter be established under the laws of the state of Washington,
19 signed by at least ten percent of the total number of voters of the
20 port district who voted at the last general port election and asking
21 that the corporate name of the port district be changed, it shall be
22 the duty of the commissioners to submit to the voters of the port
23 district the proposition as to whether the corporate name of the port
24 shall be changed. The proposition shall be submitted at the next
25 general port election.

26 (2) The petition shall contain the present corporate name of the
27 port district and the corporate name which is proposed to be given to
28 the port district.

29 (3) On submitting the proposition to the voters of the port
30 district it shall be the duty of the port commissioners to cause to be
31 printed on the official ballot used at the election the following
32 proposition:

33 "Shall the corporate name, 'Port of ' be changed to
34 'Port of ' YES
35 "Shall the corporate name, 'Port of ' be changed to
36 'Port of ' NO"

1 (4) At the time when the returns of the general election shall be
2 canvassed by the commissioners of the port district, it shall be the
3 duty of the commissioners to canvass the vote upon the proposition so
4 submitted, recording in their record the result of the canvass.

5 (5) Should a majority of the registered voters of the port district
6 voting at the general port election vote in favor of the proposition it
7 shall be the duty of the port commissioners to certify the fact to the
8 auditor of the county in which the port district shall be situated and
9 to the secretary of state of the state of Washington, under the seal of
10 the port district. On and after the filing of the certificate with the
11 county auditor as aforesaid and with the secretary of state of the
12 state of Washington, the corporate name of the port district shall be
13 changed, and thenceforth the port district shall be known and
14 designated in accordance therewith.

15 **Sec. 28.** RCW 54.08.010 and 1985 c 469 s 55 are each amended to
16 read as follows:

17 At any general election held in an even-numbered year, the county
18 legislative authority of any county in this state may, or, on petition
19 of ten percent of the qualified electors of the county based on the
20 total vote cast in the last general county election held in an even-
21 numbered year, shall, by resolution, submit to the voters of the county
22 the proposition of creating a public utility district which shall be
23 coextensive with the limits of the county as now or hereafter
24 established. A form of petition for the creation of a public utility
25 district shall be submitted to the county auditor within ten months
26 prior to the election at which the proposition is to be submitted to
27 the voters. Petitions shall be filed with the county auditor not less
28 than four months before the election and the county auditor shall
29 within thirty days examine the signatures thereof and certify to the
30 sufficiency or insufficiency thereof. If the petition be found to be
31 insufficient, it shall be returned to the persons filing the same, who
32 may amend or add names thereto for ten days, when the same shall be
33 returned to the county auditor, who shall have an additional fifteen
34 days to examine the same and attach his certificate thereto. No person
35 having signed the petition shall be allowed to withdraw his name
36 therefrom after the filing of the same with the county auditor:
37 PROVIDED, That each signature shall be dated and that no signature
38 dated prior to the date on which the form of petition was submitted to

1 the county auditor shall be valid. Whenever the petition shall be
2 certified to as sufficient, the county auditor shall forthwith transmit
3 the same, together with his certificate of sufficiency attached
4 thereto, to the county legislative authority which shall submit the
5 proposition to the voters of the county at the next general election in
6 an even-numbered year occurring (~~forty-five~~) fifty days after
7 submission of the proposition to the legislative authority. The notice
8 of the election shall state the boundaries of the proposed public
9 utility district and the object of such election, and shall in other
10 respects conform to the requirements of the general laws of the state
11 of Washington, governing the time and manner of holding elections. In
12 submitting the question to the voters for their approval or rejection,
13 the proposition shall be expressed on the ballot substantially in the
14 following terms:

15 Public Utility District No. YES 1
16 Public Utility District No. NO 1

17 Any petition for the formation of a public utility district may
18 describe a less area than the entire county in which the petition is
19 filed, the boundaries of which shall follow the then existing precinct
20 boundaries and not divide any voting precinct; and in the event that
21 such a petition is filed the county legislative authority shall fix a
22 date for a hearing on such petition, and shall publish the petition,
23 without the signatures thereto appended, for two weeks prior to the
24 date of the hearing, together with a notice stating the time of the
25 meeting when the petition will be heard. The publication, and all
26 other publications required by chapter 1, Laws of 1931, shall be in a
27 newspaper of general circulation in the county in which the district is
28 situated. The hearing on the petition may be adjourned from time to
29 time, not exceeding four weeks in all. If upon the final hearing the
30 county legislative authority shall find that any lands have been
31 unjustly or improperly included within the proposed public utility
32 district and will not be benefited by inclusion therein, it shall
33 change and fix the boundary lines in such manner as it shall deem
34 reasonable and just and conducive to the public welfare and
35 convenience, and make and enter an order establishing and defining the
36 boundary lines of the proposed public utility district: PROVIDED, That
37 no lands shall be included within the boundaries so fixed lying outside
38 the boundaries described in the petition, except upon the written

1 request of the owners of those lands. Thereafter the same procedure
2 shall be followed as prescribed in this chapter for the formation of a
3 public utility district including an entire county, except that the
4 petition and election shall be confined solely to the lesser public
5 utility district.

6 No public utility district created after September 1, 1979, shall
7 include any other public utility district within its boundaries:
8 PROVIDED, That this paragraph shall not alter, amend, or modify
9 provisions of chapter 54.32 RCW.

10 **Sec. 29.** RCW 54.08.070 and 1979 ex.s. c 240 s 2 are each amended
11 to read as follows:

12 Any district which does not own or operate electric facilities for
13 the generation, transmission or distribution of electric power on March
14 25, 1969, or any district which hereafter does not construct or acquire
15 such electric facilities within ten years of its creation, shall not
16 construct or acquire any such electric facilities without the approval
17 of such proposal by the voters of such district: PROVIDED, That a
18 district shall have the power to construct or acquire electric
19 facilities within ten years following its creation by action of its
20 commission without voter approval of such action.

21 At any general election held in an even-numbered year, the proposal
22 to construct or acquire electric facilities may be submitted to the
23 voters of the district by resolution of the public utility district
24 commission or shall be submitted to the voters of the district by the
25 county legislative authority on petition of ten percent of the
26 qualified electors of such district, based on the total vote cast in
27 the last general county election held in an even-numbered year. A form
28 of petition for the construction or acquisition of electric facilities
29 by the public utility district shall be submitted to the county auditor
30 within ten months prior to the election at which such proposition is to
31 be submitted to the voters. Petitions shall be filed with the county
32 auditor not less than four months before such election and the county
33 auditor shall within thirty days examine the signatures thereof and
34 certify to the sufficiency or insufficiency thereof. If such petition
35 is found to be insufficient, it shall be returned to the persons filing
36 the same, who may amend and add names thereto for ten days, when the
37 same shall be returned to the county auditor, who shall have an
38 additional fifteen days to examine the same and attach his certificate

1 thereto. No person having signed such petition shall be allowed to
2 withdraw his name therefrom after the filing of the same with the
3 county auditor: PROVIDED, That each signature shall be dated and that
4 no signature dated prior to the date on which the form of petition was
5 submitted to the county auditor shall be valid. Whenever such petition
6 shall be certified to as sufficient, the county auditor shall forthwith
7 transmit the same, together with his certificate of sufficiency
8 attached thereto, to the county legislative authority which shall
9 submit such proposition to the voters of said district at the next
10 general election in an even-numbered year occurring (~~forty-five~~)
11 fifty days after submission of the proposition to said legislative
12 authority. The notice of the election shall state the object of such
13 election, and shall in other respects conform to the requirements of
14 the general laws of Washington, governing the time and manner of
15 holding elections.

16 The proposal submitted to the voters for their approval or
17 rejection, shall be expressed on the ballot substantially in the
18 following terms:

19 Shall Public Utility District No. of County
20 construct or acquire electric facilities for the generation,
21 transmission or distribution of electric power?

22	Yes	1
23	No	1

24 Within ten days after such election, the election board of the
25 county shall canvass the returns, and if at such election a majority of
26 the voters voting on such proposition shall vote in favor of such
27 construction or acquisition of electric facilities, the district shall
28 be authorized to construct or acquire electric facilities.

29 **Sec. 30.** RCW 57.04.050 and 1999 c 153 s 1 are each amended to read
30 as follows:

31 Upon entry of the findings of the final hearing on the petition if
32 one or more county legislative authorities find that the proposed
33 district will be conducive to the public health, welfare, and
34 convenience and will benefit the land therein, they shall present a
35 resolution to the county auditor calling for a special election to be
36 held at a date specified under RCW 29.13.020, that occurs (~~forty-~~
37 ~~five~~) fifty or more days after the resolution is presented, at which

1 a ballot proposition authorizing the district to be created shall be
2 submitted to voters for their approval or rejection. The commissioners
3 shall cause to be published a notice of the election for four
4 successive weeks in a newspaper of general circulation in the proposed
5 district, which notice shall state the hours during which the polls
6 will be open, the boundaries of the district as finally adopted and the
7 object of the election, and the notice shall also be posted ten days in
8 ten public places in the proposed district. The district shall be
9 created if the ballot proposition authorizing the district to be
10 created is approved by a majority of the voters voting on the
11 proposition.

12 A separate ballot proposition authorizing the district, if created,
13 to impose a single-year excess levy for the preliminary expenses of the
14 district shall be submitted to voters for their approval or rejection
15 at the same special election, if the petition to create the district
16 also proposed that a ballot proposition authorizing an excess levy be
17 submitted to voters for their approval or rejection. The excess levy
18 shall be proposed in the amount specified in the petition to create the
19 district, not to exceed one dollar and twenty-five cents per thousand
20 dollars of assessed value, and may only be submitted to voters for
21 their approval or rejection if the special election is held in
22 February, March, or April(~~(, or May)~~). The proposition to be effective
23 must be approved in the manner set forth in Article VII, section 2(a)
24 of the state Constitution.

25 **Sec. 31.** RCW 70.44.235 and 1987 c 138 s 4 are each amended to read
26 as follows:

27 (1) As provided in this section, a public hospital district may
28 withdraw areas from its boundaries, or reannex areas into the public
29 hospital district that previously had been withdrawn from the public
30 hospital district under this section.

31 (2) The withdrawal of an area shall be authorized upon: (a)
32 Adoption of a resolution by the hospital district commissioners
33 requesting the withdrawal and finding that, in the opinion of the
34 commissioners, inclusion of this area within the public hospital
35 district will result in a reduction of the district's tax levy rate
36 under the provisions of RCW 84.52.010; and (b) adoption of a resolution
37 by the city or town council approving the withdrawal, if the area is
38 located within the city or town, or adoption of a resolution by the

1 county legislative authority of the county within which the area is
2 located approving the withdrawal, if the area is located outside of a
3 city or town. A withdrawal shall be effective at the end of the day on
4 the thirty-first day of December in the year in which the resolutions
5 are adopted, but for purposes of establishing boundaries for property
6 tax purposes, the boundaries shall be established immediately upon the
7 adoption of the second resolution.

8 The withdrawal of an area from the boundaries of a public hospital
9 district shall not exempt any property therein from taxation for the
10 purpose of paying the costs of redeeming any indebtedness of the public
11 hospital district existing at the time of the withdrawal.

12 (3) An area that has been withdrawn from the boundaries of a public
13 hospital district under this section may be reannexed into the public
14 hospital district upon: (a) Adoption of a resolution by the hospital
15 district commissioners proposing the reannexation; and (b) adoption of
16 a resolution by the city or town council approving the reannexation, if
17 the area is located within the city or town, or adoption of a
18 resolution by the county legislative authority of the county within
19 which the area is located approving the reannexation, if the area is
20 located outside of a city or town. The reannexation shall be effective
21 at the end of the day on the thirty-first day of December in the year
22 in which the adoption of the second resolution occurs, but for purposes
23 of establishing boundaries for property tax purposes, the boundaries
24 shall be established immediately upon the adoption of the second
25 resolution. Referendum action on the proposed reannexation may be
26 taken by the voters of the area proposed to be reannexed if a petition
27 calling for a referendum is filed with the city or town council, or
28 county legislative authority, within a thirty-day period after the
29 adoption of the second resolution, which petition has been signed by
30 registered voters of the area proposed to be reannexed equal in number
31 to ten percent of the total number of the registered voters residing in
32 that area.

33 If a valid petition signed by the requisite number of registered
34 voters has been so filed, the effect of the resolutions shall be held
35 in abeyance and a ballot proposition to authorize the reannexation
36 shall be submitted to the voters of the area at the next special
37 election date specified in RCW 29.13.020 that occurs (~~forty-five~~)
38 fifty or more days after the petitions have been validated. Approval

1 of the ballot proposition authorizing the reannexation by a simple
2 majority vote shall authorize the reannexation.

3 NEW SECTION. **Sec. 32.** RCW 29.01.160 (September primary) and 1965
4 c 9 s 29.01.160 are each repealed.

5 NEW SECTION. **Sec. 33.** This act takes effect January 1, 2002.

--- END ---