
SENATE BILL 6102

State of Washington

59th Legislature

2005 Regular Session

By Senator Swecker

Read first time 03/31/2005. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to fire protection district asset ownership and
2 assumption of responsibility upon code city annexation; amending RCW
3 35A.14.380 and 35A.14.400; and declaring an emergency.

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

5 **Sec. 1.** RCW 35A.14.380 and 1981 c 332 s 8 are each amended to read
6 as follows:

7 If a portion of a fire protection district including at least
8 ((sixty)) forty-five percent of the assessed valuation of the real
9 property of the district is annexed to or incorporated into a code
10 city, ownership of all of the assets of the district shall be vested in
11 the code city, upon payment in cash, properties or contracts for fire
12 protection services to the district within one year, of a percentage of
13 the value of said assets equal to the percentage of the value of the
14 real property in the entire district remaining outside the incorporated
15 or annexed area.

16 The fire protection district may elect, by a vote of a majority of
17 the persons residing outside the annexed area who vote on the
18 proposition, to require the annexing code city to assume responsibility
19 for the provision of fire protection, and for the operation and

1 maintenance of the district's property, facilities, and equipment
2 throughout the district and to pay the code city a reasonable fee for
3 such fire protection, operation, and maintenance.

4 **Sec. 2.** RCW 35A.14.400 and 1989 c 267 s 2 are each amended to read
5 as follows:

6 If a portion of a fire protection district including less than
7 ((~~sixty~~)) forty-five percent of the assessed value of the real property
8 of the district is annexed to or incorporated into a code city, the
9 ownership of all assets of the district shall remain in the district
10 and the district shall pay to the code city within one year or within
11 such period of time as the district continues to collect taxes in such
12 incorporated or annexed areas, in cash, properties or contracts for
13 fire protection services, a percentage of the value of said assets
14 equal to the percentage of the value of the real property in the entire
15 district lying within the area so incorporated or annexed: PROVIDED,
16 That if less than five percent of the area of the district is affected,
17 no payment shall be made to the code city except as provided in RCW
18 35.02.205. The fire protection district shall provide fire protection
19 to the incorporated or annexed area for such period as the district
20 continues to collect taxes levied in such annexed or incorporated area.

21 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
22 preservation of the public peace, health, or safety, or support of the
23 state government and its existing public institutions, and takes effect
24 immediately.

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