

# SENATE BILL REPORT

## SB 5594

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As of February 25, 2007

**Title:** An act relating to petition method of annexation.

**Brief Description:** Revising requirements for petitions for annexation.

**Sponsors:** Senators Kastama, Pridemore and Berkey.

**Brief History:**

**Committee Activity:** Government Operations & Elections: 2/26/07.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Staff:** Mac Nicholson (786-7445)

**Background:** Cities are organized under statute as either first or second class cities and towns (classified cities) or code cities. Classified cities are organized under Title 35. Code cities are organized under Title 35A. Classified and code cities have multiple processes to annex territory, including a resolution/election method, a petition/election method, a direct petition method, a resolution method, and an ordinance method. Each method of annexation must follow different processes as set forth in statute.

Under the direct petition method of annexation, the petition for annexation must be signed by owners of a certain percentage of land included in the annexation. In classified cities, the petition must be signed by the owners of not less than 75 percent of the assessed value of the property subject to the annexation. In code cities, the petition must be signed by the owners of at least 60 percent of the assessed value of the property subject to annexation.

In a code city direct petition annexation where the area to be annexed has at least 80 percent of its boundaries contiguous with a portion of the city's boundaries, the petition can be signed by the owners of 50 percent of the assessed value of the property subject to the annexation.

An officer of a corporation signing a petition on behalf of the corporation must be duly authorized to execute deeds or encumbrances on behalf of the corporation and must attach a certified excerpt from the corporation bylaws showing such authority to the petition.

Classified cities not subject to the jurisdiction of a boundary review board are required to convene an annexation review board to determine whether the annexation is in the public interest. The review board is composed of the mayor of the city or town to which the territory is to be annexed, the chairman of the board of county commissioners of the county where the

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territory to be annexed is located, a representative from the Department of Community, Trade, and Economic Development, and two additional members.

**Summary of Bill:** The determination of sufficiency of petitions seeking annexation in code cities must be made by the city clerk rather than the county assessor.

An officer of a corporation owning land within the area involved in a petition process may sign under oath on behalf of the corporation and is no longer required to submit a certified excerpt of the corporation bylaws.

The property ownership signature requirement for annexation petitions under the direct petition method of annexation for classified cities is reduced from 75 percent to 60 percent.

In a classified city direct petition annexation where the area to be annexed has at least 80 percent of its boundaries contiguous with a portion of the city's boundaries, the petition can be signed by the owners of 50 percent of the assessed value of the property subject to the annexation.

The requirement that classified cities convene an annexation review board to review the proposed annexation in cities not subject to the jurisdiction of a boundary review board is removed.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.