

# FINAL BILL REPORT

## ESSB 6286

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Synopsis as Enacted

**Brief Description:** Concerning the liability and powers of cities, diking districts, and flood control zone districts.

**Sponsors:** Senate Committee on Judiciary (originally sponsored by Senators Kline, Haugen, Tom, Keiser, Kauffman and McDermott).

**Senate Committee on Government Operations & Elections**  
**Senate Committee on Judiciary**  
**House Committee on Judiciary**

**Background:** Flood control zone districts are quasi-municipal corporations created for the limited purpose of undertaking, operating, and maintaining flood control or storm water control projects. Flood control zone districts are created by the legislative body of a county or by petition of at least 25 percent of the electors within a proposed zone and are an independent taxing authority and a taxing district. Generally, the legislative body of a county serves as the district's supervisors and the county engineer as the administrator. Flood control zone districts with more than 2,000 residents are authorized to elect supervisors. There are currently at least nine flood control zone districts in Washington.

Diking districts are taxing districts and oversight bodies which create, maintain, and manage specific areas that include significant drainage or dike infrastructures. Among other things, a diking district has the authority to straighten, widen, and deepen waterways considered a flood threat. Diking districts may construct dikes, drains, ditches, and other infrastructure to reduce flood risk.

Under current law, counties are immune from liability for any noncontractual acts or omissions relating to the improvement, protection, regulation, and control for flood prevention and navigation purposes of any river or its tributaries.

Covered volunteer emergency workers are volunteers who are registered with a local emergency management organization or Washington State Military Department and are granted immunity from liability for their work during an emergency.

**Summary:** Flood control zone districts, diking districts, and cities are provided immunity from liability for any noncontractual acts or omissions relating to the improvement,

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protection, regulation, and control for flood prevention and navigation purposes of any river or its tributaries.

A flood control zone district may use covered volunteer emergency workers during an emergency.

A flood control zone district may provide grant funds to political subdivisions of the state that are located within the boundaries of the zone, so long as the use of the funds are within the flood control zone district's authorized purposes.

**Votes on Final Passage:**

Senate	48	0
House	96	0

**Effective:** June 10, 2010