

# SENATE BILL REPORT

## SB 5782

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As of February 19, 2011

**Title:** An act relating to cemetery district formation requirements.

**Brief Description:** Concerning cemetery district formation requirements.

**Sponsors:** Senators Sheldon and Shin.

**Brief History:**

**Committee Activity:** Government Operations, Tribal Relations & Elections: 2/21/11.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS

**Staff:** Sharon Swanson (786-7447)

**Background:** Cities and towns are authorized to (1) enact ordinances regulating or prohibiting the establishment of new cemeteries or the extension of existing ones and (2) give power to local planning commissions to pass upon and (3) make recommendations to local legislative bodies. Cemetery districts may be established in all counties and on any island in any county. There are 103 cemetery districts and 77 cities and towns that are known to operate municipal cemeteries in Washington.

The county legislative authority has the authority to hear and determine a petition to form a cemetery district. If the authority finds that the formation of the district will be conducive to the public welfare and convenience, the county authority must by resolution so declare. The county legislative authority will then designate a number and name of the district, fix the boundaries and cause an election to be held to decide the question. At the same election three cemetery district commissioners must be elected but their election is null and void if the district is not created. Creation of a cemetery district must pass with a two-thirds vote.

**Summary of Bill:** A petition to form a cemetery district found to be insufficient must be returned to the persons filing it. The person or persons may amend or add names thereto for ten days before returning the petition to the county auditor. The auditor then has 15 additional days to examine the petition and attach the certificate of sufficiency thereto.

No person signing the petition may withdraw his or her name from the petition after the petition is filed.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Formation of a cemetery district requires a majority vote to pass.

A county auditor has 15 days from the date a cemetery district petition is filed to examine the signatures and certify the sufficiency or insufficiency thereof.

**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.