

SSB 5068 - S AMD 12
By Senator Conway

NOT CONSIDERED

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 38.40.150 and 1943 c 130 s 38 are each amended to
4 read as follows:

5 (1) All property issued to organizations and members of the
6 organized militia of Washington shall be and remain public property.

7 (2) The director of financial management may file a petition under
8 RCW 35.13.125, 35.13.130, 35.13.410, 35.13.420, and 35A.14.120 to have
9 real property owned by the state for military purposes annexed to a
10 city or town if that property constitutes the whole of the property in
11 the annexation petition.

12 Sec. 2. RCW 35.13.130 and 2009 c 60 s 3 are each amended to read
13 as follows:

14 A petition for annexation of an area contiguous to a city or town
15 may be made in writing addressed to and filed with the legislative body
16 of the municipality to which annexation is desired. Except where all
17 the property sought to be annexed is property of a school district, and
18 the school directors thereof file the petition for annexation as in RCW
19 28A.335.110 authorized, or all the property sought to be annexed is
20 owned by the state for military purposes, and the director of financial
21 management files a petition for annexation as authorized in RCW
22 38.40.150, the petition must be signed by the owners of not less than
23 sixty percent in value according to the assessed valuation for general
24 taxation of the property for which annexation is petitioned: PROVIDED,
25 That in cities and towns with populations greater than one hundred
26 sixty thousand located east of the Cascade mountains, the owner of tax
27 exempt property may sign an annexation petition and have the tax exempt
28 property annexed into the city or town, but the value of the tax exempt
29 property shall not be used in calculating the sufficiency of the

1 required property owner signatures unless only tax exempt property is
2 proposed to be annexed into the city or town. The petition shall set
3 forth a description of the property according to government legal
4 subdivisions or legal plats which is in compliance with RCW 35.02.170,
5 and shall be accompanied by a plat which outlines the boundaries of the
6 property sought to be annexed. If the legislative body has required
7 the assumption of all or of any portion of city or town indebtedness by
8 the area annexed, and/or the adoption of a comprehensive plan for the
9 area to be annexed, these facts, together with a quotation of the
10 minute entry of such requirement or requirements shall be set forth in
11 the petition.

12 **Sec. 3.** RCW 35.13.125 and 1990 c 33 s 565 are each amended to read
13 as follows:

14 Proceedings for the annexation of territory pursuant to RCW
15 35.13.130, 35.13.140, 35.13.150, 35.13.160 and 35.13.170 shall be
16 commenced as provided in this section. Prior to the circulation of a
17 petition for annexation, the initiating party or parties who, except as
18 provided in RCW 28A.335.110 and 38.40.150, shall be either not less
19 than ten percent of the residents of the area to be annexed or the
20 owners of not less than ten percent in value, according to the assessed
21 valuation for general taxation of the property for which annexation is
22 petitioned, shall notify the legislative body of the city or town in
23 writing of their intention to commence annexation proceedings. The
24 legislative body shall set a date, not later than sixty days after the
25 filing of the request, for a meeting with the initiating parties to
26 determine whether the city or town will accept, reject, or
27 geographically modify the proposed annexation, whether it shall require
28 the simultaneous adoption of the comprehensive plan if such plan has
29 been prepared and filed for the area to be annexed as provided for in
30 RCW 35.13.177 and 35.13.178, and whether it shall require the
31 assumption of all or of any portion of existing city or town
32 indebtedness by the area to be annexed. If the legislative body
33 requires the assumption of all or of any portion of indebtedness and/or
34 the adoption of a comprehensive plan, it shall record this action in
35 its minutes and the petition for annexation shall be so drawn as to
36 clearly indicate this fact. There shall be no appeal from the decision
37 of the legislative body.

1 **Sec. 4.** RCW 35.13.410 and 2003 c 331 s 2 are each amended to read
2 as follows:

3 Proceedings for the annexation of territory pursuant to this
4 section and RCW 35.13.420 shall be commenced as provided in this
5 section. Before the circulation of a petition for annexation, the
6 initiating party or parties who, except as provided in RCW 28A.335.110
7 and 38.40.150, shall be either not less than ten percent of the
8 residents of the area to be annexed or the owners of not less than ten
9 percent of the acreage for which annexation is petitioned, shall notify
10 the legislative body of the city or town in writing of their intention
11 to commence annexation proceedings. The legislative body shall set a
12 date, not later than sixty days after the filing of the request, for a
13 meeting with the initiating parties to determine whether the city or
14 town will accept, reject, or geographically modify the proposed
15 annexation, whether it shall require the simultaneous adoption of the
16 comprehensive plan if such plan has been prepared and filed for the
17 area to be annexed as provided for in RCW 35.13.177 and 35.13.178, and
18 whether it shall require the assumption of all or any portion of
19 existing city or town indebtedness by the area to be annexed. If the
20 legislative body requires the assumption of all or any portion of
21 indebtedness and/or the adoption of a comprehensive plan, it shall
22 record this action in its minutes and the petition for annexation shall
23 be so drawn as to clearly indicate this fact. There shall be no appeal
24 from the decision of the legislative body.

25 **Sec. 5.** RCW 35.13.420 and 2003 c 331 s 3 are each amended to read
26 as follows:

27 (1) A petition for annexation of an area contiguous to a city or
28 town may be made in writing addressed to and filed with the legislative
29 body of the municipality to which annexation is desired. Except where
30 all the property sought to be annexed is property of a school district,
31 and the school directors thereof file the petition for annexation as in
32 RCW 28A.335.110, or all the property sought to be annexed is owned by
33 the state for military purposes, and the director of financial
34 management files a petition for annexation as authorized in RCW
35 38.40.150, the petition must be signed by the owners of a majority of
36 the acreage for which annexation is petitioned and a majority of the

1 registered voters residing in the area for which annexation is
2 petitioned.

3 (2) If no residents exist within the area proposed for annexation,
4 the petition must be signed by the owners of a majority of the acreage
5 for which annexation is petitioned.

6 (3) The petition shall set forth a legal description of the
7 property proposed to be annexed that complies with RCW 35.02.170, and
8 shall be accompanied by a drawing that outlines the boundaries of the
9 property sought to be annexed. If the legislative body has required
10 the assumption of all or any portion of city or town indebtedness by
11 the area annexed, and/or the adoption of a comprehensive plan for the
12 area to be annexed, these facts, together with a quotation of the
13 minute entry of such requirement or requirements, shall be set forth in
14 the petition.

15 **Sec. 6.** RCW 35A.14.120 and 1989 c 351 s 6 are each amended to read
16 as follows:

17 Proceedings for initiating annexation of unincorporated territory
18 to a charter code city or noncharter code city may be commenced by the
19 filing of a petition of property owners of the territory proposed to be
20 annexed, or, where all of the property sought to be annexed is owned by
21 the state for military purposes, by the filing of a petition of the
22 director of financial management as authorized in RCW 38.40.150 in the
23 following manner. This method of annexation shall be alternative to
24 other methods provided in this chapter. Prior to the circulation of a
25 petition for annexation, the initiating party or parties, who, except
26 as provided in RCW 38.40.150, shall be the owners of not less than ten
27 percent in value, according to the assessed valuation for general
28 taxation of the property for which annexation is sought, shall notify
29 the legislative body of the code city in writing of their intention to
30 commence annexation proceedings. The legislative body shall set a
31 date, not later than sixty days after the filing of the request, for a
32 meeting with the initiating parties to determine whether the code city
33 will accept, reject, or geographically modify the proposed annexation,
34 whether it shall require the simultaneous adoption of a proposed zoning
35 regulation, if such a proposal has been prepared and filed for the area
36 to be annexed as provided for in RCW 35A.14.330 and 35A.14.340, and
37 whether it shall require the assumption of all or of any portion of

1 existing city indebtedness by the area to be annexed. If the
2 legislative body requires the assumption of all or of any portion of
3 indebtedness and/or the adoption of a proposed zoning regulation, it
4 shall record this action in its minutes and the petition for annexation
5 shall be so drawn as to clearly indicate these facts. Approval by the
6 legislative body shall be a condition precedent to circulation of the
7 petition. There shall be no appeal from the decision of the
8 legislative body. A petition for annexation of an area contiguous to
9 a code city may be filed with the legislative body of the municipality
10 to which annexation is desired. It must be signed by the owners, as
11 defined by RCW 35A.01.040(9) (a) through (d), of not less than sixty
12 percent in value, according to the assessed valuation for general
13 taxation of the property for which annexation is petitioned or, where
14 all of the property sought to be annexed is owned by the state for
15 military purposes, by the director of financial management as
16 authorized in RCW 38.40.150: PROVIDED, That a petition signed by
17 property owners for annexation of an area having at least eighty
18 percent of the boundaries of such area contiguous with a portion of the
19 boundaries of the code city, not including that portion of the boundary
20 of the area proposed to be annexed that is coterminous with a portion
21 of the boundary between two counties in this state, need be signed by
22 only the owners of not less than fifty percent in value according to
23 the assessed valuation for general taxation of the property for which
24 the annexation is petitioned. Such petition shall set forth a
25 description of the property according to government legal subdivisions
26 or legal plats and shall be accompanied by a map which outlines the
27 boundaries of the property sought to be annexed. If the legislative
28 body has required the assumption of all or any portion of city
29 indebtedness by the area annexed or the adoption of a proposed zoning
30 regulation, these facts, together with a quotation of the minute entry
31 of such requirement, or requirements, shall also be set forth in the
32 petition."

NOT CONSIDERED

1 On page 1, beginning on line 2 of the title, after "purposes;"
2 strike the remainder of the title and insert "and amending RCW
3 38.40.150, 35.13.130, 35.13.125, 35.13.410, 35.13.420, and 35A.14.120."

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