

SB 5417 - S AMD 220
By Senator Benton

PULLED 03/13/2013

1 On page 2, line 6, after "(3)" insert "For annexations by a code
2 city with a population of less than twenty thousand, the question of
3 annexation must be submitted to the voters of the area, if the area
4 contains at least one hundred voters, in a general election if one is
5 to be held within ninety days or at a special election called for that
6 purpose according to RCW 29A.04.330. Notice of the election shall be
7 given as provided in RCW 35A.14.070 and the election shall be conducted
8 as provided in the general election law. If the area to be annexed
9 contains less than one hundred voters, at least a majority of the
10 voters in the area to be annexed must give their written consent to the
11 annexation.

12 (4)"

13 On page 2, after line 9, insert the following:

14 "**Sec. 2.** RCW 35A.14.297 and 1967 ex.s. c 119 s 35A.14.297 are each
15 amended to read as follows:

16 On the date set for hearing as provided in RCW 35A.14.295,
17 residents or property owners of the area included in the resolution for
18 annexation shall be afforded an opportunity to be heard. The
19 legislative body may provide by ordinance for annexation of the
20 territory described in the resolution, but the effective date of the
21 ordinance shall be not less than forty-five days after the passage
22 thereof. The legislative body shall cause notice of the proposed
23 effective date of the annexation, together with a description of the
24 property to be annexed, to be published at least once each week for two
25 weeks subsequent to passage of the ordinance, in one or more newspapers
26 of general circulation within the city and in one or more newspapers of
27 general circulation within the area to be annexed. If the annexation
28 ordinance provides for assumption of indebtedness or adoption of a
29 proposed zoning regulation, the notice shall include a statement of

1 such requirements. Such annexation ordinance shall be subject to
2 referendum for forty-five days after the passage thereof. Upon the
3 filing of a timely and sufficient referendum petition as provided in
4 RCW 35A.14.299 below, a referendum election shall be held as provided
5 in RCW 35A.14.299, and the annexation shall be deemed approved by the
6 voters unless a majority of the votes cast on the proposition are in
7 opposition thereto. After the expiration of the forty-fifth day from,
8 but excluding the date of passage of the annexation ordinance, if no
9 timely and sufficient referendum petition has been filed, as provided
10 by RCW 35A.14.299 below, the area annexed shall become a part of the
11 code city upon the date fixed in the ordinance of annexation. For
12 annexations by a code city with a population of less than twenty
13 thousand, the area annexed shall become a part of the code city after
14 approval by a majority of the voters in the area to be annexed and upon
15 the date fixed in the ordinance of annexation.

16 **Sec. 3.** RCW 35A.14.299 and 2006 c 344 s 25 are each amended to
17 read as follows:

18 Such annexation ordinance as provided for in RCW 35A.14.297 shall
19 be subject to referendum for forty-five days after the passage thereof.
20 Upon the filing of a timely and sufficient referendum petition with the
21 legislative body, signed by qualified electors in number equal to not
22 less than ten percent of the votes cast in the last general state
23 election in the area to be annexed, the question of annexation shall be
24 submitted to the voters of such area in a general election if one is to
25 be held within ninety days or at a special election called for that
26 purpose according to RCW 29A.04.330. Notice of such election shall be
27 given as provided in RCW 35A.14.070 and the election shall be conducted
28 as provided in RCW 35A.29.151. The annexation shall be deemed approved
29 by the voters unless a majority of the votes cast on the proposition
30 are in opposition thereto.

31 After the expiration of the forty-fifth day from but excluding the
32 date of passage of the annexation ordinance, if no timely and
33 sufficient referendum petition has been filed, the area annexed shall
34 become a part of the code city upon the date fixed in the ordinance of
35 annexation. From and after (~~such~~) the date fixed in the ordinance of
36 annexation, if the ordinance so provided, property in the annexed area
37 shall be subject to the proposed zoning regulation prepared and filed

1 for such area as provided in RCW 35A.14.330 and 35A.14.340. If the
2 ordinance so provided, all property within the area annexed shall be
3 assessed and taxed at the same rate and on the same basis as the
4 property of such annexing code city is assessed and taxed to pay for
5 any then outstanding indebtedness of such city contracted prior to, or
6 existing at, the date of annexation."

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7 On page 1, line 2 of the title, after "35A.14.295" insert "
8 35A.14.297, and 35A.14.299"

EFFECT: An annexation of unincorporated islands by a code city with a population of less than 20,000 must be submitted to the voters of the area to be annexed. The annexation is deemed approved by a majority vote. If there are fewer than 100 registered voters in the area to be annexed, the annexation may be approved by written consent of a majority of the registered voters in the area to be annexed.

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