
HOUSE BILL 1901

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Hunt and Ryu; by request of Office of Financial Management

Read first time 02/15/13. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to limiting use and disclosure of population
2 enumeration data; and amending RCW 35.13.260, 35A.14.700, and
3 36.13.030.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 35.13.260 and 2011 c 342 s 1 are each amended to read
6 as follows:

7 (1) Whenever any territory is annexed to a city or town, a
8 certificate as hereinafter provided shall be submitted in triplicate to
9 the office of financial management, hereinafter in this section
10 referred to as "the office," within thirty days of the effective date
11 of annexation specified in the relevant ordinance. After approval of
12 the certificate, the office shall retain the original copy in its
13 files, and transmit the second copy to the department of transportation
14 and return the third copy to the city or town. Such certificates shall
15 be in such form and contain such information as shall be prescribed by
16 the office. A copy of the complete ordinance containing a legal
17 description and a map showing specifically the boundaries of the
18 annexed territory shall be attached to each of the three copies of the

1 certificate. The certificate shall be signed by the mayor and attested
2 by the city clerk. Upon request, the office shall furnish
3 certification forms to any city or town.

4 (2)(a) The resident population of the annexed territory shall be
5 determined by, or under the direction of, the mayor of the city or
6 town.

7 (b) If the annexing city or town has a population of ten thousand
8 or less, the annexed territory consists entirely of one or more partial
9 federal census blocks, or 2010 federal decennial census data has not
10 been released within twelve months immediately prior to the date of
11 annexation, the population determination shall consist of an actual
12 enumeration of the population.

13 (c) In any circumstance, the city or town may choose to have the
14 population determination of the entire annexed territory consist of an
15 actual enumeration. However, if the city or town does not use actual
16 enumeration for determining population, the annexed territory includes
17 or consists of one or more complete federal census blocks, and 2010
18 federal decennial census data has been released within twelve months
19 immediately prior to the date of annexation, the population
20 determination shall consist of:

21 (i) Relevant 2010 federal decennial census data pertaining to the
22 complete block or blocks, as such data has been updated by the most
23 recent official population estimate released by the office pursuant to
24 RCW 43.62.030;

25 (ii) An actual enumeration of any population located within the
26 annexed territory but outside the complete federal census block or
27 blocks; and

28 (iii) If the office, at least two weeks prior to the date of
29 annexation, confirms the existence of a known census error within a
30 complete federal census block and identifies a structure or complex
31 listed in (c)(iii)(A) through (E) of this subsection (2) as a likely
32 source of the error, an actual enumeration of one or more of the
33 block's identified:

34 (A) Group quarters;

35 (B) Mobile home parks;

36 (C) Apartment buildings that are composed of at least fifty units
37 and are certified for occupancy between January 1, 2010, and April 1,
38 2011;

1 (D) Missing subdivisions; and

2 (E) Closures of any of the categories in (c)(iii)(A) through (D) of
3 this subsection.

4 (d) Whenever an actual enumeration is used, it shall be made in
5 accordance with the practices and policies of, and subject to the
6 approval of, the office. Actual enumeration data collected under this
7 section shall be used and retained only by the office and only for the
8 purposes of this section and chapter 43.62 RCW. The enumeration data
9 collected is confidential and not subject to public disclosure under
10 chapter 42.56 RCW.

11 (e) The city or town shall be responsible for the full cost of the
12 population determination.

13 (3) The population shall be determined as of the effective date of
14 annexation as specified in the relevant ordinance.

15 Until an annexation certificate is filed and approved as provided
16 herein, such annexed territory shall not be considered by the office in
17 determining the population of such city or town.

18 Upon approval of the annexation certificate, the office shall
19 forward to each state official or department responsible for making
20 allocations or payments to cities or towns, a revised certificate
21 reflecting the increase in population due to such annexation. Upon and
22 after the date of the commencement of the next quarterly period, the
23 population determination indicated in such revised certificate shall be
24 used as the basis for the allocation and payment of state funds to such
25 city or town.

26 For the purposes of this section, each quarterly period shall
27 commence on the first day of the months of January, April, July, and
28 October. Whenever a revised certificate is forwarded by the office
29 thirty days or less prior to the commencement of the next quarterly
30 period, the population of the annexed territory shall not be considered
31 until the commencement of the following quarterly period.

32 **Sec. 2.** RCW 35A.14.700 and 2011 c 342 s 2 are each amended to read
33 as follows:

34 (1) Whenever any territory is annexed to a code city, a certificate
35 as hereinafter provided shall be submitted in triplicate to the office
36 of financial management within thirty days of the effective date of
37 annexation specified in the relevant ordinance. After approval of the

1 certificate, the office of financial management shall retain the
2 original copy in its files, and transmit the second copy to the
3 department of transportation and return the third copy to the code
4 city. Such certificates shall be in such form and contain such
5 information as shall be prescribed by the office of financial
6 management. A copy of the complete ordinance containing a legal
7 description and a map showing specifically the boundaries of the
8 annexed territory shall be attached to each of the three copies of the
9 certificate. The certificate shall be signed by the mayor and attested
10 by the city clerk. Upon request, the office of financial management
11 shall furnish certification forms to any code city.

12 (2)(a) The resident population of the annexed territory shall be
13 determined by, or under the direction of, the mayor of the code city.

14 (b) If the annexing code city has a population of ten thousand or
15 less, the annexed territory consists entirely of one or more partial
16 federal census blocks, or 2010 federal decennial census data has not
17 been released within twelve months immediately prior to the date of
18 annexation, the population determination shall consist of an actual
19 enumeration of the population.

20 (c) In any circumstance, the code city may choose to have the
21 population determination of the entire annexed territory consist of an
22 actual enumeration. However, if the code city does not use actual
23 enumeration for determining population, the annexed territory includes
24 or consists of one or more complete federal census blocks, and 2010
25 federal decennial census data has been released within twelve months
26 immediately prior to the date of annexation, the population
27 determination shall consist of:

28 (i) Relevant 2010 federal decennial census data pertaining to the
29 complete block or blocks, as such data has been updated by the most
30 recent official population estimate released by the office of financial
31 management pursuant to RCW 43.62.030;

32 (ii) An actual enumeration of any population located within the
33 annexed territory but outside the complete federal census block or
34 blocks; and

35 (iii) If the office of financial management, at least two weeks
36 prior to the date of annexation, confirms the existence of a known
37 census error within a complete federal census block and identifies a

1 structure or complex listed in (c)(iii)(A) through (E) of this
2 subsection (2) as a likely source of the error, an actual enumeration
3 of one or more of the block's identified:

4 (A) Group quarters;

5 (B) Mobile home parks;

6 (C) Apartment buildings that are composed of at least fifty units
7 and are certified for occupancy between January 1, 2010, and April 1,
8 2011;

9 (D) Missing subdivisions; and

10 (E) Closures of any of the categories in (c)(iii)(A) through (D) of
11 this subsection.

12 (d) Whenever an actual enumeration is used, it shall be made in
13 accordance with the practices and policies of, and subject to the
14 approval of, the office of financial management. Actual enumeration
15 data collected under this section shall be used and retained only by
16 the office and only for the purposes of this section and chapter 43.62
17 RCW. The enumeration data collected is confidential and not subject to
18 public disclosure under chapter 42.56 RCW.

19 (e) The code city shall be responsible for the full cost of the
20 population determination.

21 (3) Upon approval of the annexation certificate, the office of
22 financial management shall forward to each state official or department
23 responsible for making allocations or payments to cities or towns, a
24 revised certificate reflecting the increase in population due to such
25 annexation. Upon and after the date of the commencement of the next
26 quarterly period, the population determination indicated in such
27 revised certificate shall be used as the basis for the allocation and
28 payment of state funds to such city or town.

29 For the purposes of this section, each quarterly period shall
30 commence on the first day of the months of January, April, July, and
31 October. Whenever a revised certificate is forwarded by the office of
32 financial management thirty days or less prior to the commencement of
33 the next quarterly period, the population of the annexed territory
34 shall not be considered until the commencement of the following
35 quarterly period.

36 (4) Until an annexation certificate is filed and approved as
37 provided herein, such annexed territory shall not be considered by the

1 office of financial management in determining the population of such
2 code city.

3 **Sec. 3.** RCW 36.13.030 and 1979 c 151 s 37 are each amended to read
4 as follows:

5 For the purpose of making a county census, the legislative
6 authority of any county may employ one or more suitable persons. The
7 census shall be conducted in accordance with standard census
8 definitions and procedures as specified by the office of financial
9 management. Actual enumeration data collected under this section shall
10 be used only for the purposes of this chapter and chapter 43.62 RCW.
11 The enumeration data collected is confidential and not subject to
12 public disclosure under chapter 42.56 RCW.

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