

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5556**

64th Legislature  
2015 Regular Session

Passed by the Senate February 25, 2015  
Yeas 48 Nays 0

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**President of the Senate**

Passed by the House April 8, 2015  
Yeas 97 Nays 0

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5556** as passed by Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SENATE BILL 5556**

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Passed Legislature - 2015 Regular Session

**State of Washington**

**64th Legislature**

**2015 Regular Session**

**By** Senators Warnick, Hatfield, and Honeyford

Read first time 01/23/15. Referred to Committee on Agriculture,  
Water & Rural Economic Development.

1 AN ACT Relating to irrigation district administration; amending  
2 RCW 87.06.040; and repealing RCW 87.80.140 and 87.80.150.

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

4 **Sec. 1.** RCW 87.06.040 and 1988 c 134 s 4 are each amended to  
5 read as follows:

6 (1) After the completion of the title searches, the treasurer, in  
7 the name of the irrigation district, shall commence legal action to  
8 foreclose on the assessment liens. The treasurer shall give notice of  
9 application for judgment foreclosing assessment liens and summons to  
10 all parties in interest as disclosed by the title search. The  
11 treasurer may include in any notice any number of separate  
12 properties. Such notice and summons shall contain:

13 (a) A statement that the irrigation district is applying to  
14 superior court of the county in which the property is located for a  
15 judgment foreclosing the lien against the property for delinquent  
16 assessments, costs, and interest;

17 (b) The full name of the superior court in which the district is  
18 applying for the judgment; and for each property: The description of  
19 the property, the local street address (if any), and the name of each  
20 party in interest;

1 (c) A description of the lien amount due, which shall include the  
2 amount listed in RCW 87.06.020(1)(d), plus any costs and interest  
3 accruing since the date of preparation of the certificate of  
4 delinquency;

5 (d) A direction to each party in interest summoning the party to  
6 appear within sixty days after service of the notice and summons,  
7 exclusive of the day of the service, and defend the action or pay the  
8 lien amount due; and when service is made by publication, a direction  
9 summoning each party to appear within sixty days after the date of  
10 the first publication of the notice and summons, exclusive of the day  
11 of first publication, and defend the action or pay the amount due;

12 (e) A notice that, in case of failure to defend or pay the amount  
13 due, judgment will be rendered foreclosing the lien of the  
14 assessments, costs, and interest against the property; and

15 (f) The date, time, and place of the foreclosure sale as  
16 specified in the application for judgment.

17 (2) The treasurer shall record in the office of the auditor of  
18 the county in which the property is located a notice of lis pendens  
19 before commencing the service of the notice and summons.

20 (3) The notice and summons shall be served in a manner reasonably  
21 calculated to inform each party in interest of the foreclosure  
22 action. At a minimum, service shall be accomplished by either (a)  
23 personal service upon a party in interest, or (b) publication once in  
24 a newspaper of general circulation that is circulated in the area in  
25 which the property is located and mailing of notice by certified mail  
26 to the party in interest.

27 (4) Notice and summons need not be served on holders of easements  
28 on the property if the easements are a matter of public record in the  
29 auditor's office of the county in which the property is located. Any  
30 foreclosure of delinquent assessments on any tract, lot, or parcel of  
31 real property subject to such easement or easements, and any  
32 treasurer's deed subsequently issued, is subject to such easement or  
33 easements that were established of record before the date of the  
34 certificate of delinquency for which the delinquent assessment was  
35 foreclosed.

36 (5) It shall be the duty of the treasurer to mail a copy of the  
37 notice and summons, within fifteen days after the first publication  
38 or service thereof, to the treasurer of each county, city, or town  
39 within which any property involved in an assessment foreclosure is  
40 situated, but the treasurer's failure to do so shall not affect the

1 jurisdiction of the court nor the priority of any assessment lien  
2 sought to be foreclosed.

3 NEW SECTION. **Sec. 2.** The following acts or parts of acts are  
4 each repealed:

5 (1) RCW 87.80.140 (Annual budget of board—Hearing—Notice) and  
6 1996 c 320 s 12 & 1949 c 56 s 13; and

7 (2) RCW 87.80.150 (Hearing and adoption of budget) and 1949 c 56  
8 s 14.

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