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HOUSE BILL 1699

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State of Washington                      66th Legislature                      2019 Regular Session

By Representatives Eslick, Peterson, and Griffey

Read first time 01/28/19. Referred to Committee on Local Government.

1            AN ACT Relating to the deannexation of a portion of land from a  
2 park and recreation district; amending RCW 36.69.310; and adding a  
3 new section to chapter 36.69 RCW.

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

5            **Sec. 1.** RCW 36.69.310 and 2005 c 226 s 3 are each amended to  
6 read as follows:

7            (1) Any park and recreation district formed under the provisions  
8 of this chapter may be dissolved in its entirety in the manner  
9 provided in chapter 53.48 RCW, relating to port districts.

10           In order to facilitate the dissolution of a park and recreation  
11 district, such a district may declare its intent to dissolve and may  
12 name a successor taxing district. It may transfer any lands,  
13 facilities, equipment, other interests in real or personal property,  
14 or interests under contracts, leases, or similar agreements to the  
15 successor district, and may take all action necessary to enable the  
16 successor district to assume any indebtedness of the park and  
17 recreation district relating to the transferred property and  
18 interests.

19           (2) A portion of land may be deannexed and withdrawn from a park  
20 and recreation district formed under the provisions of this chapter  
21 pursuant to section 2 of this act.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 36.69  
2 RCW to read as follows:

3        (1) As provided in this section, a city, town, or county may  
4 withdraw that portion of the city, town, or county from a park and  
5 recreation district that was formed under this chapter when:

6        (a) The governing body of a park district, which is part of the  
7 district, adopts a resolution and findings of fact supporting the  
8 deannexation of that portion of the city, town, or county, which is  
9 part of the district; and the governing body of a city, town, or  
10 county, which is part of the district, adopts a resolution and  
11 findings of fact supporting the deannexation of that portion of the  
12 city, town, or county, which is part of the district; or

13        (b) Ten percent of the voters of such city and/or county who  
14 voted at the last general election petition the governing officials  
15 for such a vote; or

16        (c) A district located in a county with a population of two  
17 hundred ten thousand or more has not actively carried out any of the  
18 special purposes or functions for which it was formed within the  
19 preceding consecutive five-year period, in accordance with chapter  
20 57.90 RCW.

21        (2)(a) After adoption of the resolution approving the  
22 deannexation, receipt of a valid petition signed by the requisite  
23 number of registered voters, or determination that the district has  
24 been inactive in accordance with chapter 57.90 RCW, the governing  
25 body of the city, town, or county, which is part of the district,  
26 must draft a ballot title, give notice as required by law for ballot  
27 measures, and perform other duties as required to put the measure  
28 approving or not approving the deannexation before the voters of the  
29 city, town, or county, which is part of the district.

30        (b) The ballot proposition authorizing the deannexation from a  
31 proposed park and recreation district shall be submitted to the  
32 voters of the district for their approval or rejection at the next  
33 general election. The ballot measure is approved if fifty percent of  
34 the total persons voting on the ballot measure vote to approve the  
35 deannexation.

36        (3) The resolution under subsection (1) of this section and the  
37 ballot under subsection (2) of this section must set forth the  
38 specific land boundaries being deannexed from the district.

1 (4) A deannexation under this section is effective at the end of  
2 the day on the thirty-first day of December in the year in which the  
3 ballot measure under subsection (2) of this section is approved.

4 (5) The withdrawal of an area from the boundaries of a park and  
5 recreation district shall not exempt any property therein from  
6 taxation for the purpose of paying the costs of redeeming any  
7 indebtedness of the park and recreation district existing at the time  
8 of the withdrawal.

9 (6)(a) An area that has been withdrawn from the boundaries of a  
10 park and recreation district under this section may be reannexed into  
11 the park and recreation district upon:

12 (i) Adoption of a resolution by the governing body proposing the  
13 reannexation; and

14 (ii) Adoption of a resolution by the park and recreation district  
15 approving the reannexation.

16 (b) The reannexation shall be effective at the end of the day on  
17 the thirty-first day of December in the year in which the adoption of  
18 the second resolution occurs, but for purposes of establishing  
19 boundaries for property tax purposes, the boundaries shall be  
20 established immediately upon the adoption of the second resolution.

21 (c) Referendum action on the proposed reannexation may be taken  
22 by the voters of the area proposed to be reannexed if a petition  
23 calling for a referendum is filed with the park and recreation  
24 district, within a thirty-day period after the adoption of the second  
25 resolution, which petition has been signed by registered voters of  
26 the area proposed to be reannexed equal in number to ten percent of  
27 the total number of the registered voters residing in that area.

28 (d) If a valid petition signed by the requisite number of  
29 registered voters has been so filed, the effect of the resolutions  
30 shall be held in abeyance and a ballot proposition to authorize the  
31 reannexation shall be submitted to the voters of the area at the next  
32 special election date according to RCW 29A.04.330. Approval of the  
33 ballot proposition authorizing the reannexation by a simple majority  
34 vote shall authorize the reannexation.

35 (7) For purposes of this section, "deannex" means to withdraw a  
36 specified portion of land from a park and recreation district formed  
37 under this chapter.

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