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HOUSE BILL 1802

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State of Washington

66th Legislature

2019 Regular Session

By Representative Orcutt

Read first time 01/31/19. Referred to Committee on Local Government.

1 AN ACT Relating to cemetery district withdrawal of territory; and  
2 amending RCW 68.54.130.

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

4 **Sec. 1.** RCW 68.54.130 and 2017 c 62 s 1 are each amended to read  
5 as follows:

6 (1) Territory within a cemetery district may be withdrawn from  
7 the district in the same manner provided by law for withdrawal of  
8 territory from water-sewer districts, as provided by chapter 57.28  
9 RCW, except ((that no territory within a cemetery district may be  
10 withdrawn unless a special election is held and a majority of votes  
11 cast by qualified voters residing within the district approve the  
12 withdrawal. Agreement between the district board of commissioners and  
13 the county legislative authority on the findings of fact under RCW  
14 57.28.080 does not preclude an election under this section.)) as  
15 provided otherwise in subsections (2) and (3) of this section.

16 (2) If a territory has qualified voters residing within it, then  
17 the territory may not be withdrawn from the cemetery district unless  
18 a special election is held and a majority of votes cast by qualified  
19 voters residing within the district approve the withdrawal. Agreement  
20 between the district board of commissioners and the county

1 legislative authority on the findings of fact under RCW 57.28.080  
2 does not preclude an election under this subsection.

3 (3) If a territory has no qualified voters residing within it,  
4 then no special election is required as applied to procedures for  
5 withdrawal of territory under this section. However, if withdrawal of  
6 such territory is commenced by the district board of commissioners as  
7 provided under RCW 57.28.035, then the territory may not be withdrawn  
8 from the cemetery district unless written approval is attained from  
9 the owners, according to the records of the county auditor or  
10 auditors, of not less than sixty percent of the area of land included  
11 in the resolution for withdrawal. The written approval must be  
12 attained within sixty days from the date of the final hearing of any  
13 county legislative authority on the resolution for withdrawal.  
14 Agreement between the district board of commissioners and the county  
15 legislative authority on the findings of fact under RCW 57.28.080  
16 does not preclude the written approval requirement under this  
17 subsection.

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