
SUBSTITUTE SENATE BILL 5010

State of Washington

66th Legislature

2019 Regular Session

By Senate Local Government (originally sponsored by Senators Rolfes, Van De Wege, and Ranker)

READ FIRST TIME 01/25/19.

1 AN ACT Relating to protected lands not being assessed local fire
2 district levies; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** (1) On September 13, 2017, the joint
5 legislative audit and review committee distributed the 17-06 final
6 report: Fees assessed for forest fire protection. The report
7 identified more than twenty thousand parcels of land that do not pay
8 the forest fire protection assessment or a local fire district levy
9 but are likely still protected by the department of natural resources
10 or a local fire district.

11 The legislature finds that fire protection services at the state
12 and local level are vital to the preservation of public and personal
13 property throughout the state. The legislature further finds that
14 fire protection resources are very limited in carrying out the
15 substantial duties that fire protection services are asked to
16 perform. Therefore, properties that benefit from fire protection
17 should be required to contribute to the operation and maintenance of
18 such essential services.

19 (2)(a) A local fire district may propose to annex any parcel or
20 parcels having all boundaries of the property wholly within the
21 external boundary of the requesting local fire district if such

1 parcel or parcels are not presently being assessed a local fire
2 district levy.

3 (b) Prior to annexing a parcel or parcels under this section the
4 local fire district must:

5 (i) Verify with the county assessor that the parcel or parcels
6 have all boundaries of the property wholly within the external
7 boundary of the requesting local fire district and are not presently
8 assessed a local fire district levy;

9 (ii) Notify the owner of record of each parcel in writing no less
10 than sixty days prior to conducting a public hearing that the local
11 fire district is seeking to annex the parcel; and

12 (iii) Hold at least one public hearing on the proposed
13 annexation.

14 (3) Following the hearing, the local fire district must determine
15 by resolution whether any parcel will be annexed. After adoption of
16 the resolution, the local fire district must send a copy to the
17 county legislative authority, the county assessor, and the owner of
18 record of any parcel proposed to be annexed. The resolution must
19 include a list of all parcels proposed to be annexed.

20 (4) Within thirty days of notification of the resolution, the
21 owner of record of a parcel proposed to be annexed may appeal the
22 proposed annexation to the county legislative authority. Issues
23 raised under appeal may include compliance with the process
24 established under this section, whether the parcel is presently being
25 assessed a local fire district levy, and whether the levied amount is
26 consistent with local fire district levy amounts. The county
27 legislative authority may address multiple appeals at the same
28 hearing. The decision of the county legislative authority or its
29 designee is not appealable.

30 (5) If the proposed annexation is upheld or no appeal is made
31 within thirty days of notification of the resolution, the county
32 legislative authority must approve the proposed annexation of any
33 parcel or parcels of land submitted under subsection (3) of this
34 section into the local fire district. The order must include a
35 description of the property to be annexed and the effective date of
36 the annexation. The order is not subject to referendum.

37 (6) A notice of intention must be filed with the boundary review
38 board created under RCW 36.93.030. However, the jurisdiction of the
39 board may not be invoked as described in RCW 36.93.100 for
40 annexations under this section.

1 (7) Any local fire district levy to be imposed on a parcel
2 annexed in accordance with this section may not be assessed until the
3 next tax assessment cycle following the annexation.

4 (8) Annexations of a parcel or parcels of land under this section
5 must be completed by January 1, 2021.

6 (9) For the purposes of this section, "local fire district" means
7 a fire district, regional fire protection service authority, city,
8 town, or port district.

9 (10) The annexation process established under this section is not
10 exclusive and does not limit annexation through other statutory
11 authorities.

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