

# HOUSE BILL REPORT

## HB 2843

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**As Reported by House Committee On:**  
Local Government & Housing

**Title:** An act relating to cities and towns annexed to fire protection districts.

**Brief Description:** Regarding cities and towns annexed to fire protection districts.

**Sponsors:** Representatives Ormsby and Driscoll.

**Brief History:**

**Committee Activity:**

Local Government & Housing: 1/27/10, 2/1/10 [DP].

**Brief Summary of Bill**

- Authorizes the formation of fire protection districts in any area of the state, including cities and towns.
- Deletes statutory language restricting the establishment of fire protection districts to specified areas.
- Increases the population limit for cities that can be annexed into a fire protection district from 100,000 persons or less to 300,000 persons or less.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

**Majority Report:** Do pass. Signed by 7 members: Representatives Simpson, Chair; Nelson, Vice Chair; Miloscia, Springer, Upthegrove, White and Williams.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Angel, Ranking Minority Member; Fagan and Short.

**Staff:** Thamas Osborn (786-7129).

**Background:**

Fire Protection Districts.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Fire protection districts (district) are created to provide fire prevention, fire suppression, and emergency medical services within a district's boundaries, which can include incorporated and unincorporated areas. The creation of such districts requires voter approval. Generally, districts serve residents outside of cities or towns, except when cities and towns have been annexed into a district or when the district continues to provide service to a newly incorporated area. Districts are governed by an elected board of commissioners consisting of either three or five members. The districts finance their activities and facilities by imposing regular property taxes, excess voter-approved property tax levies, and benefit charges.

Annexation of a City by a Fire Protection District.

A city or town adjacent to a district may be annexed to such a district provided the population of the city or town does not exceed 100,000. Such annexation is initiated through the adoption of an ordinance by the legislative authority of the city or town approving annexation into the district and stating a finding that the public interest is served by such annexation. The annexation must then be authorized through the concurrence of the district's board of fire commissioners. Following such approval of the annexation, notification must be sent to the governing body of the county or counties in which both the district and city or town are located. The pertinent county legislative authorities must then call a special election in the city or town to be annexed, as well as the district, so as to allow the voters in each jurisdiction to determine the annexation issue. The annexation is complete if a majority of voters in each jurisdiction vote in favor of annexation.

In accordance with specified limitations, both the district and the city are authorized to levy taxes related to district fire protection services.

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**Summary of Bill:**

The act authorizes the formation of districts in any area of the state, including cities and towns. Statutory language restricting the establishment of districts to certain areas is deleted.

The act increases the population limit for cities that can be annexed into a district from 100,000 persons or less to 300,000 persons or less.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) The bill eliminates statutory provisions that present unnecessary barriers to a fire protection district (district) annexing an adjacent city into the district. Under current law, a

city with a population of up to 100,000 persons may be annexed into a district. The bill increases this population limit to 300,000. In addition, the bill authorizes the creation of a district in any area of the state without restriction, including within cities and towns. These provisions provide districts with needed flexibility with respect to the use of annexation powers.

(Opposed) None.

**Persons Testifying:** Representative Ormsby, prime sponsor; and Tom Parker, City of Spokane.

**Persons Signed In To Testify But Not Testifying:** None.