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ENGROSSED SUBSTITUTE HOUSE BILL 1417

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State of Washington

64th Legislature

2015 Regular Session

By House Local Government (originally sponsored by Representatives Takko, Kochmar, and Pike)

READ FIRST TIME 02/09/15.

1 AN ACT Relating to the referendum of assumptions of water-sewer  
2 districts by cities and towns; and adding new sections to chapter  
3 35.13A RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.13A  
6 RCW to read as follows:

7 (1) Except as provided otherwise by subsection (4) of this  
8 section, a resolution or ordinance adopted by the legislative body of  
9 a city to assume jurisdiction of all or part of a water-sewer  
10 district under this chapter is subject to a referendum. Any  
11 referendum petition to repeal the assumption resolution or ordinance  
12 must be filed with the county auditor within ten days of passage of  
13 the resolution or ordinance. Within ten days of the filing of a  
14 petition, the county auditor must confer with the petitioner  
15 concerning the form and style of the petition, issue an  
16 identification number for the petition, and write a ballot title for  
17 the measure. The ballot title must be posed as a question so that an  
18 affirmative answer to the question and a majority affirmative vote on  
19 the measure results in approval of the proposed assumption, and a  
20 negative answer to the question and a majority negative vote on the  
21 measure results in the assumption being barred. The petitioner must

1 be notified of the identification number and ballot title within this  
2 ten-day period. After this notification, the petitioner has forty-  
3 five days in which to secure on petition forms the signatures of at  
4 least ten percent of the number of voters residing in the part of the  
5 water-sewer district subject to the assumption resolution or  
6 ordinance who voted in the most recent general election, and file the  
7 signed petitions with the county auditor. Each petition form must  
8 contain the ballot title and full text of the measure to be referred.  
9 The county auditor must verify the sufficiency of the signatures on  
10 the petitions.

11 (2) If sufficient valid signatures on the petitions are properly  
12 submitted, the county auditor must submit the referendum measure to  
13 the registered voters residing in the part of the water-sewer  
14 district subject to the assumption resolution or ordinance in a  
15 general or special election no later than one hundred twenty days  
16 after the signed petition has been filed with the county auditor.  
17 Elections must be conducted in accordance with general election law,  
18 and the cost of the election must be borne by the city seeking  
19 approval to assume jurisdiction of the water-sewer district.

20 (3) When a referendum petition is filed with the county auditor,  
21 the assumption resolution or ordinance sought to be referred to the  
22 voters, and any proceedings before a boundary review board under  
23 chapter 36.93 RCW, are suspended from taking effect. Such suspension  
24 terminates when: (a) There is a final determination of insufficiency  
25 or untimeliness of the referendum petition; or (b) the assumption  
26 resolution or ordinance so referred is approved by the voters at a  
27 referendum election.

28 (4) If a city legislative authority assumes jurisdiction of all  
29 or part of a water-sewer district through a contract with a water-  
30 sewer district, or through an interlocal agreement with a water-sewer  
31 district under chapter 36.93 RCW, the provisions of this section do  
32 not apply.

33 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.13A  
34 RCW to read as follows:

35 A resolution or ordinance adopted by a city in accordance with  
36 this chapter to assume jurisdiction of all or part of a district may  
37 not take effect until thirty or more days after its adoption.

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