

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2044

66th Legislature
2019 Regular Session

Passed by the House March 4, 2019
Yea 96 Nays 0

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2044** as passed by House of Representatives and the Senate on the dates hereon set forth.

Speaker of the House of Representatives

Passed by the Senate April 12, 2019
Yea 39 Nays 2

Chief Clerk

President of the Senate

Approved

FILED

Governor of the State of Washington

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2044

Passed Legislature - 2019 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By House Local Government (originally sponsored by Representatives Senn, Peterson, Pollet, Callan, and Thai)

READ FIRST TIME 02/22/19.

1 AN ACT Relating to the deannexation of a portion of land from a
2 park and recreation district or metropolitan park district; amending
3 RCW 36.69.310 and 35.61.310; adding a new section to chapter 36.69
4 RCW; and adding a new section to chapter 35.61 RCW.

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

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

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

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

1 (2) A portion of land may be deannexed and withdrawn from a park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

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

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

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

16 (b) Ten percent of the voters of such city or county who voted at
17 the last general election petition the governing officials for such a
18 vote; or

19 (c) A district located in a county with a population of two
20 hundred ten thousand or more has not actively carried out any of the
21 special purposes or functions for which it was formed within the
22 preceding consecutive five-year period, in accordance with chapter
23 57.90 RCW.

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

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

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

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

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

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

15 (i) Adoption of a resolution by the governing body proposing the
16 reannexation; and

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

19 (b) The reannexation is effective at the end of the day on the
20 thirty-first day of December in the year in which the adoption of the
21 second resolution occurs, but for purposes of establishing boundaries
22 for property tax purposes, the boundaries are established immediately
23 upon the adoption of the second resolution.

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

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

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

1 **Sec. 3.** RCW 35.61.310 and 1965 c 7 s 35.61.310 are each amended
2 to read as follows:

3 A board of commissioners of a metropolitan park district may,
4 upon a majority vote of all its members, dissolve in its entirety any
5 metropolitan park district, prorate the liabilities thereof, and turn
6 over to the city and/or county so much of the district as is
7 respectively located therein, when:

8 (1) Such city and/or county, through its governing officials,
9 agrees to, and petitions for, such dissolution and the assumption of
10 such assets and liabilities((τ)); or((τ))

11 (2) Ten percent of the voters of such city and/or county who
12 voted at the last general election petition the governing officials
13 for such a vote.

14 NEW SECTION. **Sec. 4.** A new section is added to chapter 35.61
15 RCW to read as follows:

16 (1) As provided in this section, a city, town, or county may
17 withdraw that portion of the city, town, or county from a
18 metropolitan park district that was formed under this chapter when:

19 (a) The governing body of a district, which is part of the
20 district, adopts a resolution and findings of fact supporting the
21 deannexation of that portion of the city, town, or county, which is
22 part of the district; and the governing body of a city, town, or
23 county, which is part of the district, adopts a resolution and
24 findings of fact supporting the deannexation of that portion of the
25 city, town, or county, which is part of the district;

26 (b) Ten percent of the voters of such city or county who voted at
27 the last general election petition the governing officials for such a
28 vote; or

29 (c) A district located in a county with a population of two
30 hundred ten thousand or more has not actively carried out any of the
31 special purposes or functions for which it was formed within the
32 preceding consecutive five-year period.

33 (2) (a) After adoption of the resolution approving the
34 deannexation, receipt of a valid petition signed by the requisite
35 number of registered voters, or determination that the district has
36 been inactive, the governing body of the city, town, or county, which
37 is part of the district, must draft a ballot title, give notice as
38 required by law for ballot measures, and perform other duties as
39 required to put the measure approving or not approving the

1 deannexation before the voters of the city, town, or county, which is
2 part of the district.

3 (b) The ballot proposition authorizing the deannexation from a
4 proposed metropolitan park district must be submitted to the voters
5 of the district for their approval or rejection at the next general
6 election. The ballot measure is approved if greater than fifty
7 percent of the total persons voting on the ballot measure vote to
8 approve the deannexation.

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

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

15 (5) The withdrawal of an area from the boundaries of a
16 metropolitan park district does not exempt any property therein from
17 taxation for the purpose of paying the costs of redeeming any
18 indebtedness of the metropolitan park district existing at the time
19 of the withdrawal.

20 (6)(a) An area that has been withdrawn from the boundaries of a
21 metropolitan park district under this section may be reannexed into
22 the metropolitan park district upon:

23 (i) Adoption of a resolution by the governing body proposing the
24 reannexation; and

25 (ii) Adoption of a resolution by the metropolitan park district
26 approving the reannexation.

27 (b) The reannexation is effective at the end of the day on the
28 thirty-first day of December in the year in which the adoption of the
29 second resolution occurs, but for purposes of establishing boundaries
30 for property tax purposes, the boundaries are established immediately
31 upon the adoption of the second resolution.

32 (c) Referendum action on the proposed reannexation may be taken
33 by the voters of the area proposed to be reannexed if a petition
34 calling for a referendum is filed with the metropolitan park
35 district, within a thirty-day period after the adoption of the second
36 resolution, which petition has been signed by registered voters of
37 the area proposed to be reannexed equal in number to ten percent of
38 the total number of the registered voters residing in that area.

39 (d) If a valid petition signed by the requisite number of
40 registered voters has been so filed, the effect of the resolutions

1 must be held in abeyance and a ballot proposition to authorize the
2 reannexation must be submitted to the voters of the area at the next
3 special election date according to RCW 29A.04.330. Approval of the
4 ballot proposition authorizing the reannexation by a simple majority
5 vote authorizes the reannexation.

6 (7) For purposes of this section, "deannex" means to withdraw a
7 specified portion of land from a metropolitan park district formed
8 under this chapter.

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