
SENATE BILL 5177

State of Washington

66th Legislature

2019 Regular Session

By Senators Braun and Takko

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6 (1) Territory within a cemetery district may be withdrawn from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10 withdrawn unless a special election is held and a majority of votes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17 the territory may not be withdrawn from the cemetery district unless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7 provided under RCW 57.28.035, then the territory may not be withdrawn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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