

SENATE BILL REPORT

SB 6521

As of February 01, 2006

Title: An act relating to city and town annexations under the direct property owner petition method of annexation.

Brief Description: Creating the direct property owner petition method of annexation for city and town annexations.

Sponsors: Senators Benton, Berkey, Mulliken and Stevens.

Brief History:

Committee Activity: Government Operations & Elections: 2/2/06.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Staff: Diane Smith (786-7410)

Background: The direct petition method of annexation is not accomplished by a vote of the people. Rather, ten percent or more of the residents of the area, or the owners of not less than ten percent of the assessed value of the property in the area to be annexed, pre-petition the legislative body of the code city, city, or town.

The legislative body of the code city, city, or town must then meet with the initiating parties to determine whether the code city, city, or town will accept, reject, or geographically modify the proposed annexation; whether adoption of any applicable comprehensive plan will be required; and whether assumption of any existing code city, city, or town debt will be required. The petition, as modified, must then be signed by owners of property amounting to at least 75 percent or 60 percent of the assessed value in the area to be annexed to a city or town or to a code city, respectively. The petition is then filed with the code city, city, or town.

The code city, city, or town legislative body may set a date for a hearing on the petition, with public notice required both in the code city, city, or town and in the area to be annexed. After the hearing, the legislative body must then decide to accept all or a portion of the annexation, by adoption of an ordinance. The annexation becomes effective as of the date specified in the ordinance.

Summary of Bill: Provision is made for a popular vote of the voters residing in the area proposed to be annexed. The option for a pre-petition of a percentage of the voters in the area to be annexed is removed.

Owners of property that comprise at least ten percent of the assessed value of the area proposed to be annexed initiate the direct petition annexation by signing a written notice of interest in annexing to the city or town.

The legislative body of the code city, city, or town then follows existing statutory procedures for possible modification of the written notice of interest, and determination of the contents of the annexation petition and public hearing on the petition that has been signed by owners of property comprising at least 75 percent (for a city or town) or 60 percent (for a code city) of the assessed value of the area proposed to be annexed.

The ordinance of annexation, if adopted, is filed with the affected county and the appropriate Boundary Review Board (BRB). Annexation is effective as of the date set for annexation in the ordinance unless 1) a ballot proposition is submitted to the voters residing in the area to be annexed that subjects the annexation to voter approval, or 2) the BRB's jurisdiction is invoked.

The ballot proposition is submitted to the voters if a petition is filed with the legislative body of the city or town within 45 days of the publication of the notice of proposed annexation. This petition must be signed by at least ten percent of the registered voters residing in the area to be annexed. The ballot proposition is submitted to the voters residing in the area proposed for annexation at a special election called for that purpose. The annexation is authorized by a simple majority vote unless assumption of indebtedness is part of the ballot proposition, in which case a supermajority is required for authorization.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.