
HOUSE BILL 2576

State of Washington 65th Legislature 2018 Regular Session

By Representatives Griffey, Springer, and McBride

Read first time 01/10/18. Referred to Committee on Local Government.

1 AN ACT Relating to allowing fire protection district annexations
2 and mergers within a reasonable geographic proximity; and amending
3 RCW 52.04.031, 52.26.020, 52.26.060, and 52.26.300.

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

5 **Sec. 1.** RCW 52.04.031 and 1999 c 105 s 2 are each amended to
6 read as follows:

7 A petition for annexation of an area (~~(adjacent)~~) located within
8 reasonable proximity to a fire district shall be in writing,
9 addressed to and filed with the board of fire commissioners of the
10 district to which annexation is desired. Such territory may be
11 located in a county or counties other than the county or counties
12 within which the fire protection district is located. It must be
13 signed by the owners, according to the records of the county auditor
14 or auditors, of not less than sixty percent of the area of land
15 included in the annexation petition, shall set forth a legal
16 description of the property and shall be accompanied by a plat which
17 outlines the boundaries of the property to be annexed. The petition
18 shall state the financial obligation, if any, to be assumed by the
19 area to be annexed.

20 For the purposes of this section, "reasonable proximity" has the
21 same meaning as in RCW 52.26.020.

1 **Sec. 2.** RCW 52.26.020 and 2017 c 196 s 7 are each amended to
2 read as follows:

3 The definitions in this section apply throughout this chapter
4 unless the context clearly requires otherwise.

5 (1) "Board" means the governing body of a regional fire
6 protection service authority.

7 (2) "Elected official" means an elected official of a
8 participating fire protection jurisdiction or a regional fire
9 protection district commissioner created under RCW 52.26.080.

10 (3) "Fire protection jurisdiction" means a fire district,
11 regional fire protection service authority, city, town, port
12 district, municipal airport, or Indian tribe.

13 (4) "Participating fire protection jurisdiction" means a fire
14 protection jurisdiction participating in the formation or operation
15 of a regional fire protection service authority.

16 (5) "Reasonable proximity" means geographical areas near enough
17 to each other so that governance, management, and services can be
18 delivered effectively.

19 (6) "Regional fire protection service authority" or "authority"
20 means a municipal corporation, an independent taxing authority within
21 the meaning of Article VII, section 1 of the state Constitution, and
22 a taxing district within the meaning of Article VII, section 2 of the
23 state Constitution, whose boundaries are coextensive with two or more
24 (~~adjacent~~) fire protection jurisdictions located within reasonable
25 proximity and that has been created by a vote of the people under
26 this chapter to implement a regional fire protection service
27 authority plan.

28 (~~(6)~~) (7) "Regional fire protection service authority plan" or
29 "plan" means a plan to develop and finance a regional fire protection
30 service authority project or projects including, but not limited to,
31 specific capital projects, fire operations and emergency service
32 operations pursuant to RCW 52.26.040(3)(b), and preservation and
33 maintenance of existing or future facilities.

34 (~~(7)~~) (8) "Regional fire protection service authority planning
35 committee" or "planning committee" means the advisory committee
36 created under RCW 52.26.030 to create and propose to fire protection
37 jurisdictions a regional fire protection service authority plan to
38 design, finance, and develop fire protection and emergency service
39 projects.

1 (~~(8)~~) (9) "Regular property taxes" has the same meaning as in
2 RCW 84.04.140.

3 **Sec. 3.** RCW 52.26.060 and 2006 c 200 s 4 are each amended to
4 read as follows:

5 The governing bodies of two or more (~~adjacent~~) fire protection
6 jurisdictions located within reasonable proximity, upon receipt of
7 the regional fire protection service authority plan under RCW
8 52.26.040, may certify the plan to the ballot, including
9 identification of the revenue options specified to fund the plan. The
10 governing bodies of the fire protection jurisdictions may draft a
11 ballot title, give notice as required by law for ballot measures, and
12 perform other duties as required to put the plan before the voters of
13 the proposed authority for their approval or rejection as a single
14 ballot measure that both approves formation of the authority and
15 approves the plan. Authorities may negotiate interlocal agreements
16 necessary to implement the plan. The electorate is the voters voting
17 within the boundaries of the proposed regional fire protection
18 service authority. A simple majority of the total persons voting on
19 the single ballot measure to approve the plan and establish the
20 authority is required for approval. However, if the plan authorizes
21 the authority to impose benefit charges or sixty percent voter
22 approved taxes, then the percentage of total persons voting on the
23 single ballot measure to approve the plan and establish the authority
24 is the same as in RCW 52.26.050. The authority must act in accordance
25 with the general election laws of the state. The authority is liable
26 for its proportionate share of the costs when the elections are held
27 under RCW 29A.04.321 and 29A.04.330.

28 **Sec. 4.** RCW 52.26.300 and 2011 c 271 s 2 are each amended to
29 read as follows:

30 (1) A fire protection jurisdiction that is (~~adjacent~~) located
31 within reasonable proximity to the boundary of a regional fire
32 protection service authority is eligible for annexation by the
33 authority.

34 (2) An annexation is initiated by the adoption of a resolution by
35 the governing body of a fire protection jurisdiction requesting the
36 annexation. The resolution requesting annexation must then be filed
37 with the governing board of the authority that is requested to annex
38 the fire protection jurisdiction.

1 (3) Except as otherwise provided in the regional fire protection
2 service authority plan, on receipt of the resolution requesting
3 annexation, the governing board of the authority may adopt a
4 resolution amending its plan to establish terms and conditions of the
5 requested annexation and submit the resolution and plan amendment to
6 the fire protection jurisdiction requesting annexation. An election
7 to authorize the annexation may be held only if the governing body of
8 the fire protection jurisdiction seeking annexation adopts a
9 resolution approving both the annexation and the related plan
10 amendment.

11 (4)(a) An annexation is authorized if the voters in the fire
12 protection jurisdiction proposed to be annexed approve by a simple
13 majority vote a single ballot measure approving the annexation and
14 related plan amendment.

15 (b) An annexation is effective on the date specified in the
16 ballot measure. In the event the ballot measure does not specify an
17 effective date, the effective date is on the subsequent January 1st
18 or July 1st, whichever occurs first.

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