
HOUSE BILL 2344

State of Washington

68th Legislature

2024 Regular Session

By Representatives Donaghy and Duerr

Read first time 01/12/24. Referred to Committee on Local Government.

1 AN ACT Relating to the effective date of the filing of a notice
2 of intention with a boundary review board; amending RCW 36.93.100;
3 and adding a new section to chapter 36.93 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 36.93
6 RCW to read as follows:

7 The effective filing date for a notice of intention is
8 established by the earlier of:

9 (1) A determination by the chief clerk of the boundary review
10 board that the contents of the notice of intention submitted contains
11 the required notice of intention form, any exhibits specified on the
12 notice of intention form, and payment of the applicable filing fee;
13 or

14 (2) The 30th calendar day after which the notice of intent was
15 filed with the board, provided the applicable filing fee has been
16 paid.

17 **Sec. 2.** RCW 36.93.100 and 1994 c 216 s 13 are each amended to
18 read as follows:

19 The board shall review and approve, disapprove, or modify any of
20 the actions set forth in RCW 36.93.090 when any of the following

1 shall occur within (~~forty-five~~) 45 days of the effective filing
2 date of a notice of intention:

3 (1) Three members of a five-member boundary review board or five
4 members of a boundary review board in a county with a population of
5 one million or more files a request for review: PROVIDED, That the
6 members of the boundary review board shall not be authorized to file
7 a request for review of the following actions:

8 (a) The incorporation of any special district or change in the
9 boundary of any city, town, or special purpose district;

10 (b) The extension of permanent water service outside of its
11 existing corporate boundaries by a city, town, or special purpose
12 district if (i) the extension is through the installation of water
13 mains of six inches or less in diameter or (ii) the county
14 legislative authority for the county in which the proposed extension
15 is to be built is required or chooses to plan under RCW 36.70A.040
16 and has by a majority vote waived the authority of the board to
17 initiate review of all other extensions; or

18 (c) The extension of permanent sewer service outside of its
19 existing corporate boundaries by a city, town, or special purpose
20 district if (i) the extension is through the installation of sewer
21 mains of eight inches or less in diameter or (ii) the county
22 legislative authority for the county in which the proposed extension
23 is to be built is required or chooses to plan under RCW 36.70A.040
24 and has by a majority vote waived the authority of the board to
25 initiate review of all other extensions;

26 (2) Any governmental unit affected, including the governmental
27 unit for which the boundary change or extension of permanent water or
28 sewer service is proposed, or the county within which the area of the
29 proposed action is located, files a request for review of the
30 specific action;

31 (3) A petition requesting review is filed and is signed by:

32 (a) Five percent of the registered voters residing within the
33 area which is being considered for the proposed action (as determined
34 by the boundary review board in its discretion subject to immediate
35 review by writ of certiorari to the superior court); or

36 (b) An owner or owners of property consisting of five percent of
37 the assessed valuation within such area;

38 (4) The majority of the members of boundary review boards concur
39 with a request for review when a petition requesting the review is
40 filed by five percent of the registered voters who deem themselves

1 affected by the action and reside within one-quarter mile of the
2 proposed action but not within the jurisdiction proposing the action.

3 If a period of (~~forty-five~~) 45 days shall elapse without the
4 board's jurisdiction having been invoked as set forth in this
5 section, the proposed action shall be deemed approved.

6 If a review of a proposal is requested, the board shall make a
7 finding as prescribed in RCW 36.93.150 within (~~one hundred twenty~~)
8 120 days after the filing of such a request for review. If this
9 period of (~~one hundred twenty~~) 120 days shall elapse without the
10 board making a finding as prescribed in RCW 36.93.150, the proposal
11 shall be deemed approved unless the board and the person who
12 submitted the proposal agree to an extension of the (~~one hundred~~
13 ~~twenty~~) 120-day period.

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