

1 **SSB 5256** - H COMM AMD

2 By Committee on Local Government

3 On page 1, after the enacting clause strike the remainder of
4 the bill and insert:

5 "Sec. 1. RCW 35.13.350 and 1989 c 351 s 8 are each amended to
6 read as follows:

7 A city ~~((or))~~, town ~~((and))~~, county, or special district may
8 provide factual ~~((public))~~ information to the public on the effects
9 of a pending annexation proposed for the city or town.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.13
11 RCW to read as follows:

12 A city, town, county, or special district may not use its
13 public facilities to promote or oppose a proposed or pending
14 annexation to a city or town under the direct property owner
15 petition method of annexation provided under RCW 35.13.125 through
16 35.13.160. However, this restriction does not apply to the
17 following:

18 (1) Members of a governing body may take action at an open
19 public meeting to express a collective decision, or to actually
20 vote upon a motion, proposal, resolution, order, or ordinance, or
21 to promote or oppose a proposed or pending annexation so long as
22 members of the governing body or members of the public are afforded
23 an approximately equal opportunity for the expression of an
24 opposing view.

25 (2) A public official may make statements promoting or
26 opposing a proposed or pending annexation at an open press
27 conference or in response to a specific inquiry.

28 (3) Public officials and employees may engage in activities
29 that are part of the normal and regular conduct of their positions
30 or employment.

1 (4) A local government may generate and provide factual
2 information to the public on the effects of a proposed or pending
3 annexation.

4 (5) The facilities of a local government may be used to
5 conduct forums on a proposed or pending annexation where proponents
6 and opponents express their opinions and distribute materials
7 related to the proposed or pending annexation.

8 (6) Employees and public facilities may be used to prepare
9 speeches for public officials promoting or opposing a proposed or
10 pending annexation.

11 (7) City or town employees or officials may solicit signatures
12 on annexation petitions outside of their normal working hours for
13 the city or town if compensation, privileges, or other
14 consideration is not provided for such activities and city or town
15 facilities and resources, including the use of city or town
16 vehicles or reimbursement for use of private vehicles, is not used
17 or provided for such activities.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 35.13
19 RCW to read as follows:

20 A city or town may not grant reduced utility or other charges
21 to individual property owners as a condition of signing an
22 annexation petition, granting a power of attorney to sign an
23 annexation petition, or otherwise agreeing to a proposed or pending
24 annexation.

25 **Sec. 4.** RCW 35A.14.550 and 1989 c 351 s 9 are each amended to
26 read as follows:

27 A ~~((code))~~ city ~~((ean))~~, town, county, or special district may
28 provide factual ~~((public))~~ information to the public on the effects
29 of pending annexation proposed for the code city.

1 NEW SECTION. **Sec. 5.** A new section is added to chapter
2 35A.14 RCW to read as follows:

3 A city, town, county, or special district may not use its
4 public facilities to promote or oppose a proposed or pending
5 annexation to a code city under the direct property owner petition
6 method of annexation provided under RCW 35A.14.120 through
7 35A.14.150. However, this restriction does not apply to the
8 following:

9 (1) Members of a governing body may take action at an open
10 public meeting to express a collective decision, or to actually
11 vote upon a motion, proposal, resolution, order, or ordinance, or
12 to promote or oppose a proposed or pending annexation so long as
13 members of the governing body or members of the public are afforded
14 an approximately equal opportunity for the expression of an
15 opposing view.

16 (2) A public official may make statements promoting or
17 opposing a proposed or pending annexation at an open press
18 conference or in response to a specific inquiry.

19 (3) Public officials and employees may engage in activities
20 that are part of their normal and regular conduct of their
21 positions or employment.

22 (4) A local government may generate and provide factual
23 information to the public on the effects of a proposed or pending
24 annexation.

25 (5) The facilities of a local government may be used to
26 conduct forums on a proposed or pending annexation where proponents
27 and opponents express their opinions and distribute materials
28 related to the proposed or pending annexation.

29 (6) Employees and public facilities may be used to prepare
30 speeches for public officials promoting or opposing a proposed or
31 pending annexation.

32 (7) Code city employees or officials may solicit signatures on
33 annexation petitions outside of their normal working hours for the

1 city if compensation, privileges, or other consideration is not
2 provided for such activities and city facilities and resources,
3 including the use of city vehicles or reimbursement for use of
4 private vehicles, is not used or provided for such activities.

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6 NEW SECTION. **Sec. 6.** A new section is added to chapter
7 35A.14 RCW to read as follows:

8 A code city may not grant reduced utility or other charges to
9 individual property owners as a condition of signing an annexation
10 petition, granting a power of attorney to sign an annexation
11 petition, or otherwise agreeing to a proposed or pending
12 annexation."

EFFECT: In general restricts all local governments from
engaging in certain actions with regard to annexations to
cities and towns, but describes certain related actions that
are permitted. Precludes the reduction of utility charges as
a condition of signing an annexation petition.