
SUBSTITUTE HOUSE BILL 1431

State of Washington 58th Legislature 2003 Regular Session

By House Committee on State Government (originally sponsored by Representatives McDermott, McMahan, Hunt, Kenney, Haigh, Rockefeller, Simpson, Alexander, Cody, Berkey and Linville; by request of Secretary of State)

READ FIRST TIME 03/03/03.

1 AN ACT Relating to the date of the primary; amending RCW 29.13.070,
2 29.13.010, 29.13.020, 29.15.020, 29.15.170, 29.15.180, 29.15.190,
3 29.15.230, 29.18.160, 29.24.020, 29.36.270, 29.38.020, 29.62.020,
4 42.12.040, 27.12.355, 27.12.370, 35.06.070, 35.13.1821, 35.61.360,
5 35A.14.299, 36.93.030, 52.02.080, 52.04.056, 52.04.071, 53.04.110,
6 54.08.010, 54.08.070, 57.04.050, and 70.44.235; adding a new section to
7 chapter 29.38 RCW; and providing an effective date.

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

9 **Sec. 1.** RCW 29.13.070 and 1977 ex.s. c 361 s 29 are each amended
10 to read as follows:

11 Nominating primaries for general elections to be held in November
12 (~~shall~~) must be held at the regular polling places in each precinct
13 on the (~~third Tuesday~~) first Wednesday after the first Monday of the
14 preceding September (~~or on the seventh Tuesday immediately preceding~~
15 ~~such general election, whichever occurs first~~)).

16 **Sec. 2.** RCW 29.13.010 and 1994 c 142 s 1 are each amended to read
17 as follows:

18 (1) All state, county, city, town, and district general elections

1 for the election of federal, state, legislative, judicial, county,
2 city, town, district, and precinct officers, and for the submission to
3 the voters of the state, county, city, town, or district of any measure
4 for their adoption and approval or rejection, shall be held on the
5 first Tuesday after the first Monday of November, in the year in which
6 they may be called. A statewide general election shall be held on the
7 first Tuesday after the first Monday of November of each year:
8 PROVIDED, That the statewide general election held in odd-numbered
9 years shall be limited to (a) city, town, and district general
10 elections as provided for in RCW 29.13.020, or as otherwise provided by
11 law; (b) the election of federal officers for the remainder of any
12 unexpired terms in the membership of either branch of the congress of
13 the United States; (c) the election of state and county officers for
14 the remainder of any unexpired terms of offices created by or whose
15 duties are described in Article II, section 15, Article III, sections
16 16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3 and 5 of the
17 state Constitution and RCW 2.06.080; (d) the election of county
18 officers in any county governed by a charter containing provisions
19 calling for general county elections at this time; and (e) the approval
20 or rejection of state measures, including proposed constitutional
21 amendments, matters pertaining to any proposed constitutional
22 convention, initiative measures and referendum measures proposed by the
23 electorate, referendum bills, and any other matter provided by the
24 legislature for submission to the electorate.

25 (2) A county legislative authority may, if it deems an emergency to
26 exist, call a special county election by presenting a resolution to the
27 county auditor at least (~~forty-five days prior to~~) fifty-five days
28 before the proposed election date. Except as provided in subsection
29 (4) of this section, a special election called by the county
30 legislative authority shall be held on one of the following dates as
31 decided by such governing body:

- 32 (a) The first Tuesday after the first Monday in February;
33 (b) The second Tuesday in March;
34 (c) The fourth Tuesday in April;
35 (d) The third Tuesday in May;
36 (e) The day of the primary as specified by RCW 29.13.070; or
37 (f) The first Tuesday after the first Monday in November.

1 (3) In addition to the dates set forth in subsection (2) (a)
2 through (f) of this section, a special election to validate an excess
3 levy or bond issue may be called at any time to meet the needs
4 resulting from fire, flood, earthquake, or other act of God. Such
5 county special election shall be noticed and conducted in the manner
6 provided by law.

7 (4) In a presidential election year, if a presidential preference
8 primary is conducted in February, March, April, or May under chapter
9 29.19 RCW, the date on which a special election may be called by the
10 county legislative authority under subsection (2) of this section
11 during the month of that primary is the date of the presidential
12 primary.

13 (5) This section shall supersede the provisions of any and all
14 other statutes, whether general or special in nature, having different
15 dates for such city, town, and district elections, the purpose of this
16 section being to establish mandatory dates for holding elections except
17 for those elections held pursuant to a home-rule charter adopted under
18 Article XI, section 4 of the state Constitution. This section shall
19 not be construed as fixing the time for holding primary elections, or
20 elections for the recall of any elective public officer.

21 **Sec. 3.** RCW 29.13.020 and 2002 c 43 s 2 are each amended to read
22 as follows:

23 (1) All city, town, and district general elections shall be held
24 throughout the state of Washington on the first Tuesday following the
25 first Monday in November in the odd-numbered years.

26 This section shall not apply to:

27 (a) Elections for the recall of any elective public officer;

28 (b) Public utility districts, conservation districts, or district
29 elections at which the ownership of property within those districts is
30 a prerequisite to voting, all of which elections shall be held at the
31 times prescribed in the laws specifically applicable thereto;

32 (c) Consolidation proposals as provided for in chapter 28A.315 RCW
33 (~~28A.315.280~~) and nonhigh capital fund aid proposals as provided for
34 in chapter 28A.540 RCW.

35 (2) The county auditor, as ex officio supervisor of elections, upon
36 request in the form of a resolution of the governing body of a city,
37 town, or district, presented to the auditor at least (~~forty five days~~

1 ~~prior to~~) fifty-five days before the proposed election date, may, if
2 the county auditor deems an emergency to exist, call a special election
3 in such city, town, or district, and for the purpose of such special
4 election he or she may combine, unite, or divide precincts. Except as
5 provided in subsection (3) of this section, such a special election
6 shall be held on one of the following dates as decided by the governing
7 body:

- 8 (a) The first Tuesday after the first Monday in February;
- 9 (b) The second Tuesday in March;
- 10 (c) The fourth Tuesday in April;
- 11 (d) The third Tuesday in May;
- 12 (e) The day of the primary election as specified by RCW 29.13.070;

13 or

- 14 (f) The first Tuesday after the first Monday in November.

15 (3) In a presidential election year, if a presidential preference
16 primary is conducted in February, March, April, or May under chapter
17 29.19 RCW, the date on which a special election may be called under
18 subsection (2) of this section during the month of that primary is the
19 date of the presidential primary.

20 (4) In addition to subsection (2)(a) through (f) of this section,
21 a special election to validate an excess levy or bond issue may be
22 called at any time to meet the needs resulting from fire, flood,
23 earthquake, or other act of God, except that no special election may be
24 held between the first day for candidates to file for public office and
25 the last day to certify the returns of the general election other than
26 as provided in subsection (2)(~~(e)~~) (d) and (f) of this section. Such
27 special election shall be conducted and notice thereof given in the
28 manner provided by law.

29 (5) This section shall supersede the provisions of any and all
30 other statutes, whether general or special in nature, having different
31 dates for such city, town, and district elections, the purpose of this
32 section being to establish mandatory dates for holding elections.

33 **Sec. 4.** RCW 29.15.020 and 1990 c 59 s 81 are each amended to read
34 as follows:

35 Except where otherwise provided by this title, declarations of
36 candidacy for the following offices shall be filed during regular

1 business hours with the filing officer no earlier than the ((fourth))
2 second Monday in July and no later than the following Friday in the
3 year in which the office is scheduled to be voted upon:

4 (1) Offices that are scheduled to be voted upon for full terms or
5 both full terms and short terms at, or in conjunction with, a state
6 general election; and

7 (2) Offices where a vacancy, other than a short term, exists that
8 has not been filled by election and for which an election to fill the
9 vacancy is required in conjunction with the next state general
10 election.

11 This section supersedes all other statutes that provide for a
12 different filing period for these offices.

13 **Sec. 5.** RCW 29.15.170 and 2001 c 46 s 1 are each amended to read
14 as follows:

15 Filings for a nonpartisan office shall be reopened for a period of
16 three normal business days, such three day period to be fixed by the
17 election officer with whom such declarations of candidacy are filed and
18 notice thereof given by notifying press, radio, and television in the
19 county and by such other means as may now or hereafter be provided by
20 law whenever before the ((sixth)) seventh Tuesday prior to a primary:

- 21 (1) A void in candidacy occurs;
- 22 (2) A vacancy occurs in any nonpartisan office leaving an unexpired
23 term to be filled by an election for which filings have not been held;
24 or
- 25 (3) A nominee for judge of the superior court entitled to a
26 certificate of election pursuant to Article 4, section 29, Amendment 41
27 of the state Constitution, dies or is disqualified.

28 Candidacies validly filed within said three-day period shall appear
29 on the ballot as if made during the earlier filing period.

30 **Sec. 6.** RCW 29.15.180 and 2001 c 46 s 2 are each amended to read
31 as follows:

32 Filings for a nonpartisan office (other than judge of the supreme
33 court or superintendent of public instruction) shall be reopened for a
34 period of three normal business days, such three day period to be fixed
35 by the election officer with whom such declarations of candidacy are

1 filed and notice thereof given by notifying press, radio, and
2 television in the county and by such other means as may now or
3 hereafter be provided by law, when:

4 (1) A void in candidacy for such nonpartisan office occurs on or
5 after the sixth Tuesday prior to a primary but prior to the sixth
6 Tuesday before an election; or

7 (2) A nominee for judge of the superior court eligible after a
8 contested primary for a certificate of election by Article 4, section
9 29, Amendment 41 of the state Constitution, dies or is disqualified
10 within the ten day period immediately following the last day allotted
11 for a candidate to withdraw; or

12 (3) A vacancy occurs in any nonpartisan office on or after the
13 (~~sixth~~) seventh Tuesday prior to a primary but prior to the sixth
14 Tuesday before an election leaving an unexpired term to be filled by an
15 election for which filings have not been held.

16 The candidate receiving a plurality of the votes cast for that
17 office in the general election shall be deemed elected.

18 **Sec. 7.** RCW 29.15.190 and 2002 c 108 s 1 are each amended to read
19 as follows:

20 A scheduled election shall be lapsed, the office deemed stricken
21 from the ballot, no purported write-in votes counted, and no candidate
22 certified as elected, when:

23 (1) In an election for judge of the supreme court or superintendent
24 of public instruction, a void in candidacy occurs on or after the
25 (~~sixth~~) seventh Tuesday prior to a primary, public filings and the
26 primary being an indispensable phase of the election process for such
27 offices;

28 (2) Except as otherwise specified in RCW 29.15.180, (~~as now or~~
29 ~~hereafter amended,~~) a nominee for judge of the superior court entitled
30 to a certificate of election pursuant to Article 4, section 29,
31 Amendment 41 of the state Constitution dies or is disqualified on or
32 after the (~~sixth~~) seventh Tuesday prior to a primary;

33 (3) In other elections for nonpartisan office a void in candidacy
34 occurs or a vacancy occurs involving an unexpired term to be filled on
35 or after the sixth Tuesday prior to an election.

1 **Sec. 8.** RCW 29.15.230 and 2001 c 46 s 3 are each amended to read
2 as follows:

3 Filings for a partisan elective office shall be opened for a period
4 of three normal business days whenever, on or after the first day of
5 the regular filing period and before the ((~~sixth~~)) seventh Tuesday
6 prior to a primary, a vacancy occurs in that office, leaving an
7 unexpired term to be filled by an election for which filings have not
8 been held.

9 Any such special three-day filing period shall be fixed by the
10 election officer with whom declarations of candidacy for that office
11 are filed. The election officer shall give notice of the special
12 three-day filing period by notifying the press, radio, and television
13 in the county or counties involved, and by such other means as may be
14 required by law.

15 Candidacies validly filed within the special three-day filing
16 period shall appear on the primary ballot as if filed during the
17 regular filing period.

18 **Sec. 9.** RCW 29.18.160 and 2001 c 46 s 4 are each amended to read
19 as follows:

20 A vacancy caused by the death or disqualification of any candidate
21 or nominee of a major or minor political party may be filled at any
22 time up to and including the day prior to the election for that
23 position. For state partisan offices in any political subdivision
24 voted on solely by electors of a single county, an individual shall be
25 appointed to fill such vacancy by the county central committee in the
26 case of a major political party or by the state central committee or
27 comparable governing body in the case of a minor political party. For
28 other partisan offices, including federal or statewide offices, an
29 individual shall be appointed to fill such vacancy by the state central
30 committee or comparable governing body of the appropriate political
31 party.

32 Should such vacancy occur no later than the ((~~sixth~~)) seventh
33 Tuesday prior to the state primary or no later than the sixth Tuesday
34 prior to the state general election ((~~concerned~~)) and the ballots have
35 been printed, it shall be mandatory that they be corrected by the
36 appropriate election officers. In making such correction, it shall not

1 be necessary to reprint complete ballots if any other less expensive
2 technique can be used and the resulting correction is reasonably clear.

3 Should such vacancy occur after the (~~sixth~~) seventh Tuesday prior
4 to (~~said~~) the state primary or after the sixth Tuesday prior to the
5 state general election and time does not exist in which to correct
6 ballots (including absentee ballots), either in total or in part, then
7 the votes cast or recorded for the person who has died or become
8 disqualified shall be counted for the person who has been named to fill
9 such vacancy.

10 When the secretary of state is the person with whom the appointment
11 by the major or minor political party is filed, he shall, in certifying
12 candidates or nominations to the various county officers insert the
13 name of the person appointed to fill a vacancy.

14 In the event that the secretary of state has already sent forth his
15 certificate when the appointment to fill a vacancy is filed with him,
16 he shall forthwith certify to the county auditors of the proper
17 counties the name and place of residence of the person appointed to
18 fill a vacancy, the office for which he is a candidate or nominee, the
19 party he represents and all other pertinent facts pertaining to the
20 vacancy.

21 **Sec. 10.** RCW 29.24.020 and 2001 c 30 s 2 are each amended to read
22 as follows:

23 (1) Any nomination of a candidate for partisan public office by
24 other than a major political party may be made only: (a) In a
25 convention held not earlier than the (~~last~~) second Saturday in June
26 and not later than the (~~first~~) third Saturday in (~~July~~) June or
27 during any of the seven days immediately preceding the first day for
28 filing declarations of candidacy as fixed in accordance with RCW
29 29.68.080; (b) as provided by RCW 29.62.180; or (c) as otherwise
30 provided in this section.

31 (2) Nominations of candidates for president and vice president of
32 the United States other than by a major political party may be made
33 either at a convention conducted under subsection (1) of this section,
34 or at a similar convention taking place not earlier than the (~~first~~)
35 third Sunday in (~~July~~) June and not later than seventy days before
36 the general election. Conventions held during this time period may not

1 nominate candidates for any public office other than president and vice
2 president of the United States, except as provided in subsection (3) of
3 this section.

4 (3) If a special filing period for a partisan office is opened
5 under RCW 29.15.230, candidates of minor political parties and
6 independent candidates may file for office during that special filing
7 period. The names of those candidates may not appear on the ballot
8 unless they are nominated by convention held no later than five days
9 after the close of the special filing period and a certificate of
10 nomination is filed with the filing officer no later than three days
11 after the convention. The requirements of RCW 29.24.025 do not apply
12 to such a convention. If primary ballots or a voters' pamphlet are
13 ordered to be printed before the deadline for submitting the
14 certificate of nomination and the certificate has not been filed, then
15 the candidate's name will be included but may not appear on the general
16 election ballot unless the certificate is timely filed and the
17 candidate otherwise qualifies to appear on that ballot.

18 (4) A minor political party may hold more than one convention but
19 in no case shall any such party nominate more than one candidate for
20 any one partisan public office or position. For the purpose of
21 nominating candidates for the offices of president and vice president,
22 United States senator, or a statewide office, a minor party or
23 independent candidate holding multiple conventions may add together the
24 number of signatures of different individuals from each convention
25 obtained in support of the candidate or candidates in order to obtain
26 the number required by RCW 29.24.030. For all other offices for which
27 nominations are made, signatures of the requisite number of registered
28 voters must be obtained at a single convention.

29 **Sec. 11.** RCW 29.36.270 and 1987 c 54 s 1 are each amended to read
30 as follows:

31 Except where a recount or litigation under RCW 29.04.030 is
32 pending, the county auditor shall have sufficient absentee ballots
33 ready to mail to absentee voters of that county, other than overseas
34 voters or service voters, at least twenty days before any primary,
35 general election, or special election. At least thirty days before a
36 general election or special election, and at least thirty-six days
37 before a primary, the county auditor shall mail absentee ballots to all

1 overseas and service voters who have submitted valid requests for
2 absentee ballots. A request for an absentee ballot made by an overseas
3 voter or service voter after that day must be processed immediately.

4 **Sec. 12.** RCW 29.38.020 and 2001 c 241 s 16 are each amended to
5 read as follows:

6 At any nonpartisan special election not being held in conjunction
7 with a state primary or general election, the county, city, town, or
8 district requesting the election pursuant to RCW 29.13.010 or 29.13.020
9 may also request that the special election be conducted by mail ballot.
10 The county auditor may honor the request or may determine that the
11 election is not to be conducted by mail ballot. The decision of the
12 county auditor in this regard is final.

13 ~~((For all special elections not being held in conjunction with a~~
14 ~~state primary or state general election where voting is conducted by~~
15 ~~mail ballot, the county auditor shall, not less than twenty days before~~
16 ~~the date of such election, make available to each registered voter a~~
17 ~~mail ballot.))~~ The auditor shall handle inactive voters in the same
18 manner as inactive voters in mail ballot precincts.

19 NEW SECTION. **Sec. 13.** A new section is added to chapter 29.38 RCW
20 to read as follows:

21 Except where a recount or litigation under RCW 29.04.030 is
22 pending, the county auditor shall have sufficient mail ballots ready to
23 mail to voters of that county, other than overseas voters or service
24 voters, at least twenty days before a primary, general election, or
25 special election. At least thirty days before a general election or
26 special election, and at least thirty-six days before a primary, the
27 county auditor shall mail ballots to all overseas voters and service
28 voters. A request for a ballot made by an overseas voter or service
29 voter after that day must be processed immediately.

30 **Sec. 14.** RCW 29.62.020 and 1999 c 259 s 4 are each amended to read
31 as follows:

32 (1) At least every third day after a special election, primary, or
33 general election and before certification of the election results,
34 except Sundays and legal holidays, the county auditor shall convene the
35 county canvassing board or their designees to process absentee ballots

1 and canvass the votes cast at that special election, primary, or
2 general election, if the county auditor is in possession of more than
3 twenty-five ballots that have yet to be canvassed. The county auditor
4 may use his or her discretion in determining when to convene the
5 canvassing board or their designees during the final four days before
6 the certification of election results in order to protect the secrecy
7 of any ballot.

8 Each absentee ballot previously not canvassed that was received by
9 the county auditor two days or more before the convening of the
10 canvassing board or their designees and that either was received by the
11 county auditor before the closing of the polls on the day of the
12 special election, primary, or general election for which it was issued,
13 or that bears a date of mailing on or before the special election,
14 primary, or general election for which it was issued, must be processed
15 at that time. The tabulation of votes that results from that day's
16 canvass must be made available to the general public immediately upon
17 completion of the canvass.

18 (2) On the (~~tenth~~) ninth day after (~~a special election or~~) a
19 primary and on the fifteenth day after a general election or a special
20 election, the canvassing board shall complete the canvass and certify
21 the results. Each absentee ballot that was returned before the closing
22 of the polls on the date of the primary or election for which it was
23 issued, and each absentee ballot with a date of mailing on or before
24 the date of the primary or election for which it was issued and
25 received on or before the date on which the primary or election is
26 certified, shall be included in the canvass report.

27 (3) At the request of any caucus of the state legislature, the
28 county auditor shall transmit copies of all unofficial returns of state
29 and legislative primaries or elections prepared by or for the county
30 canvassing board to either the secretary of the senate or the chief
31 clerk of the house.

32 **Sec. 15.** RCW 42.12.040 and 2002 c 108 s 2 are each amended to read
33 as follows:

34 If a vacancy occurs in any partisan elective office in the
35 executive or legislative branches of state government or in any
36 partisan county elective office before the (~~sixth~~) seventh Tuesday
37 prior to the primary for the next general election following the

1 occurrence of the vacancy, a successor shall be elected to that office
2 at that general election. Except during the last year of the term of
3 office, if such a vacancy occurs on or after the (~~sixth~~) seventh
4 Tuesday prior to the primary for that general election, the election of
5 the successor shall occur at the next succeeding general election. The
6 elected successor shall hold office for the remainder of the unexpired
7 term. This section shall not apply to any vacancy occurring in a
8 charter county which has charter provisions inconsistent with this
9 section.

10 **Sec. 16.** RCW 27.12.355 and 1987 c 138 s 1 are each amended to read
11 as follows:

12 (1) As provided in this section, a rural county library district,
13 island library district, or intercounty rural library district may
14 withdraw areas from its boundaries, or reannex areas into the library
15 district that previously had been withdrawn from the library district
16 under this section.

17 (2) The withdrawal of an area shall be authorized upon: (a)
18 Adoption of a resolution by the board of trustees requesting the
19 withdrawal and finding that, in the opinion of the board, inclusion of
20 this area within the library district will result in a reduction of the
21 district's tax levy rate under the provisions of RCW 84.52.010; and (b)
22 adoption of a resolution by the city or town council approving the
23 withdrawal, if the area is located within the city or town, or adoption
24 of a resolution by the county legislative authority of the county
25 within which the area is located approving the withdrawal, if the area
26 is located outside of a city or town. A withdrawal shall be effective
27 at the end of the day on the thirty-first day of December in the year
28 in which the resolutions are adopted, but for purposes of establishing
29 boundaries for property tax purposes, the boundaries shall be
30 established immediately upon the adoption of the second resolution.

31 The authority of an area to be withdrawn from a library district as
32 provided under this section is in addition, and not subject, to the
33 provisions of RCW 27.12.380.

34 The withdrawal of an area from the boundaries of a library district
35 shall not exempt any property therein from taxation for the purpose of
36 paying the costs of redeeming any indebtedness of the library district
37 existing at the time of the withdrawal.

1 (3) An area that has been withdrawn from the boundaries of a
2 library district under this section may be reannexed into the library
3 district upon: (a) Adoption of a resolution by the board of trustees
4 proposing the reannexation; and (b) adoption of a resolution by the
5 city or town council approving the reannexation, if the area is located
6 within the city or town, or adoption of a resolution by the county
7 legislative authority of the county within which the area is located
8 approving the reannexation, if the area is located outside of a city or
9 town. The reannexation shall be effective at the end of the day on the
10 thirty-first day of December in the year in which the adoption of the
11 second resolution occurs, but for purposes of establishing boundaries
12 for property tax purposes, the boundaries shall be established
13 immediately upon the adoption of the second resolution. Referendum
14 action on the proposed reannexation may be taken by the voters of the
15 area proposed to be reannexed if a petition calling for a referendum is
16 filed with the city or town council, or county legislative authority,
17 within a thirty-day period after the adoption of the second resolution,
18 which petition has been signed by registered voters of the area
19 proposed to be reannexed equal in number to ten percent of the total
20 number of the registered voters residing in that area.

21 If a valid petition signed by the requisite number of registered
22 voters has been so filed, the effect of the resolutions shall be held
23 in abeyance and a ballot proposition to authorize the reannexation
24 shall be submitted to the voters of the area at the next special
25 election date specified in RCW 29.13.020 that occurs (~~forty-five~~)
26 fifty-five or more days after the petitions have been validated.
27 Approval of the ballot proposition authorizing the reannexation by a
28 simple majority vote shall authorize the reannexation.

29 **Sec. 17.** RCW 27.12.370 and 1982 c 123 s 14 are each amended to
30 read as follows:

31 The county legislative authority or authorities shall by resolution
32 call a special election to be held in such city or town at the next
33 date provided in RCW 29.13.010 but not less than (~~forty-five~~) fifty-
34 five days from the date of the declaration of such finding, and shall
35 cause notice of such election to be given as provided for in RCW
36 29.27.080.

1 The election on the annexation of the city or town into the library
2 district shall be conducted by the auditor of the county or counties in
3 which the city or town is located in accordance with the general
4 election laws of the state and the results thereof shall be canvassed
5 by the canvassing board of the county or counties. No person shall be
6 entitled to vote at such election unless he or she is registered to
7 vote in said city or town for at least thirty days preceding the date
8 of the election. The ballot proposition shall be in substantially the
9 following form:

10 "Shall the city or town of be annexed to and be
11 a part of library district?
12 YES
13 NO

14 If a majority of the persons voting on the proposition shall vote
15 in favor thereof, the city or town shall thereupon be annexed and shall
16 be a part of such library district.

17 **Sec. 18.** RCW 35.06.070 and 1994 c 81 s 8 are each amended to read
18 as follows:

19 A ballot proposition authorizing an advancement in classification
20 of a town to a second class city shall be submitted to the voters of
21 the town if either: (1) Petitions proposing the advancement are
22 submitted to the town clerk that have been signed by voters of the town
23 equal in number to at least ten percent of the voters of the town
24 voting at the last municipal general election; or (2) the town council
25 adopts a resolution proposing the advancement. The clerk shall
26 immediately forward the petitions to the county auditor who shall
27 review the signatures and certify the sufficiency of the petitions.

28 A ballot proposition authorizing an advancement shall be submitted
29 to the town voters at the next municipal general election occurring
30 (~~forty-five~~) fifty-five or more days after the petitions are
31 submitted if the county auditor certifies the petitions as having
32 sufficient valid signatures. The town shall be advanced to a second
33 class city if the ballot proposition is approved by a simple majority
34 vote, effective when the corporation is actually reorganized and the
35 new officers are elected and qualified. The county auditor shall

1 notify the secretary of state if the advancement of a town to a second
2 class city is approved.

3 **Sec. 19.** RCW 35.13.1821 and 1998 c 286 s 2 are each amended to
4 read as follows:

5 The annexation ordinance provided for in RCW 35.13.182 is subject
6 to referendum for forty-five days after its passage. Upon the filing
7 of a timely and sufficient referendum petition with the legislative
8 body, signed by qualified electors in number equal to not less than ten
9 percent of the votes cast in the last general state election in the
10 area to be annexed, the question of annexation shall be submitted to
11 the voters of the area in a general election if one is to be held
12 within ninety days or at a special election called for that purpose not
13 less than (~~forty-five~~) fifty-five days nor more than ninety days
14 after the filing of the referendum petition. Notice of the election
15 shall be given as provided in RCW 35.13.080 and the election shall be
16 conducted as provided in the general election law. The annexation
17 shall be deemed approved by the voters unless a majority of the votes
18 cast on the proposition are in opposition thereto.

19 After the expiration of the forty-fifth day from but excluding the
20 date of passage of the annexation ordinance, if no timely and
21 sufficient referendum petition has been filed, the area annexed shall
22 become a part of the city or town upon the date fixed in the ordinance
23 of annexation.

24 **Sec. 20.** RCW 35.61.360 and 1987 c 138 s 2 are each amended to read
25 as follows:

26 (1) As provided in this section, a metropolitan park district may
27 withdraw areas from its boundaries, or reannex areas into the
28 metropolitan park district that previously had been withdrawn from the
29 metropolitan park district under this section.

30 (2) The withdrawal of an area shall be authorized upon: (a)
31 Adoption of a resolution by the park district commissioners requesting
32 the withdrawal and finding that, in the opinion of the commissioners,
33 inclusion of this area within the metropolitan park district will
34 result in a reduction of the district's tax levy rate under the
35 provisions of RCW 84.52.010; and (b) adoption of a resolution by the
36 city or town council approving the withdrawal, if the area is located

1 within the city or town, or adoption of a resolution by the county
2 legislative authority of the county within which the area is located
3 approving the withdrawal, if the area is located outside of a city or
4 town. A withdrawal shall be effective at the end of the day on the
5 thirty-first day of December in the year in which the resolutions are
6 adopted, but for purposes of establishing boundaries for property tax
7 purposes, the boundaries shall be established immediately upon the
8 adoption of the second resolution.

9 The withdrawal of an area from the boundaries of a metropolitan
10 park district shall not exempt any property therein from taxation for
11 the purpose of paying the costs of redeeming any indebtedness of the
12 metropolitan park district existing at the time of the withdrawal.

13 (3) An area that has been withdrawn from the boundaries of a
14 metropolitan park district under this section may be reannexed into the
15 metropolitan park district upon: (a) Adoption of a resolution by the
16 park district commissioners proposing the reannexation; and (b)
17 adoption of a resolution by the city or town council approving the
18 reannexation, if the area is located within the city or town, or
19 adoption of a resolution by the county legislative authority of the
20 county within which the area is located approving the reannexation, if
21 the area is located outside of a city or town. The reannexation shall
22 be effective at the end of the day on the thirty-first day of December
23 in the year in which the adoption of the second resolution occurs, but
24 for purposes of establishing boundaries for property tax purposes, the
25 boundaries shall be established immediately upon the adoption of the
26 second resolution. Referendum action on the proposed reannexation may
27 be taken by the voters of the area proposed to be reannexed if a
28 petition calling for a referendum is filed with the city or town
29 council, or county legislative authority, within a thirty-day period
30 after the adoption of the second resolution, which petition has been
31 signed by registered voters of the area proposed to be reannexed equal
32 in number to ten percent of the total number of the registered voters
33 residing in that area.

34 If a valid petition signed by the requisite number of registered
35 voters has been so filed, the effect of the resolutions shall be held
36 in abeyance and a ballot proposition to authorize the reannexation
37 shall be submitted to the voters of the area at the next special
38 election date specified in RCW 29.13.020 that occurs (~~forty-five~~)

1 fifty-five or more days after the petitions have been validated.
2 Approval of the ballot proposition authorizing the reannexation by a
3 simple majority vote shall authorize the reannexation.

4 **Sec. 21.** RCW 35A.14.299 and 1967 ex.s. c 119 s 35A.14.299 are each
5 amended to read as follows:

6 Such annexation ordinance as provided for in RCW 35A.14.297 shall
7 be subject to referendum for forty-five days after the passage thereof.
8 Upon the filing of a timely and sufficient referendum petition with the
9 legislative body, signed by qualified electors in number equal to not
10 less than ten percent of the votes cast in the last general state
11 election in the area to be annexed, the question of annexation shall be
12 submitted to the voters of such area in a general election if one is to
13 be held within ninety days or at a special election called for that
14 purpose not less than (~~forty-five~~) fifty-five days nor more than
15 ninety days after the filing of the referendum petition. Notice of
16 such election shall be given as provided in RCW 35A.14.070 and the
17 election shall be conducted as provided in RCW (~~35A.14.060~~)
18 35A.29.151. The annexation shall be deemed approved by the voters
19 unless a majority of the votes cast on the proposition are in
20 opposition thereto.

21 After the expiration of the forty-fifth day from but excluding the
22 date of passage of the annexation ordinance, if no timely and
23 sufficient referendum petition has been filed, the area annexed shall
24 become a part of the code city upon the date fixed in the ordinance of
25 annexation. From and after such date, if the ordinance so provided,
26 property in the annexed area shall be subject to the proposed zoning
27 regulation prepared and filed for such area as provided in RCW
28 35A.14.330 and 35A.14.340. If the ordinance so provided, all property
29 within the area annexed shall be assessed and taxed at the same rate
30 and on the same basis as the property of such annexing code city is
31 assessed and taxed to pay for any then outstanding indebtedness of such
32 city contracted prior to, or existing at, the date of annexation.

33 **Sec. 22.** RCW 36.93.030 and 1991 c 363 s 91 are each amended to
34 read as follows:

35 (1) There is (~~hereby~~) created and established in each county with

1 a population of two hundred ten thousand or more a board to be known
2 and designated as a "boundary review board".

3 (2) A boundary review board may be created and established in any
4 other county in the following manner:

5 (a) The county legislative authority may, by majority vote, adopt
6 a resolution establishing a boundary review board; or

7 (b) A petition seeking establishment of a boundary review board
8 signed by qualified electors residing in the county equal in number to
9 at least five percent of the votes cast in the county at the last
10 county general election may be filed with the county auditor.

11 Upon the filing of such a petition, the county auditor shall
12 examine the same and certify to the sufficiency of the signatures
13 thereon. No person may withdraw his or her name from a petition after
14 it has been filed with the auditor. Within thirty days after the
15 filing of such petition, the county auditor shall transmit the same to
16 the county legislative authority, together with his or her certificate
17 of sufficiency.

18 After receipt of a valid petition for the establishment of a
19 boundary review board, the county legislative authority shall submit
20 the question of whether a boundary review board should be established
21 to the electorate at the next county primary or county general election
22 which occurs more than ((~~forty-five~~)) fifty-five days from the date of
23 receipt of the petition. Notice of the election shall be given as
24 provided in RCW 29.27.080 and shall include a clear statement of the
25 proposal to be submitted.

26 If a majority of the persons voting on the proposition shall vote
27 in favor of the establishment of the boundary review board, such board
28 shall thereupon be deemed established.

29 **Sec. 23.** RCW 52.02.080 and 1989 c 63 s 6 are each amended to read
30 as follows:

31 The election on the formation of the district and to elect the
32 initial fire commissioners shall be conducted by the election officials
33 of the county or counties in which the proposed district is located in
34 accordance with the general election laws of the state. This election
35 shall be held at the next general election date, as specified under RCW
36 29.13.020, that occurs ((~~forty-five~~)) fifty-five or more days after the

1 date of the action by the boundary review board, or county legislative
2 authority or authorities, approving the proposal.

3 **Sec. 24.** RCW 52.04.056 and 1989 c 63 s 11 are each amended to read
4 as follows:

5 (1) As provided in this section, a fire protection district may
6 withdraw areas from its boundaries, or reannex areas into the fire
7 protection district that previously had been withdrawn from the fire
8 protection district under this section.

9 (2) The withdrawal of an area shall be authorized upon: (a)
10 Adoption of a resolution by the board of fire commissioners requesting
11 the withdrawal and finding that, in the opinion of the board, inclusion
12 of this area within the fire protection district will result in a
13 reduction of the district's tax levy rate under the provisions of RCW
14 84.52.010; and (b) adoption of a resolution by the city or town council
15 approving the withdrawal, if the area is located within the city or
16 town, or adoption of a resolution by the county legislative authority
17 or authorities of the county or counties within which the area is
18 located approving the withdrawal, if the area is located outside of a
19 city or town. A withdrawal shall be effective at the end of the day on
20 the thirty-first day of December in the year in which the resolutions
21 are adopted, but for purposes of establishing boundaries for property
22 tax purposes, the boundaries shall be established immediately upon the
23 adoption of the second resolution.

24 The authority of an area to be withdrawn from a fire protection
25 district as provided under this section is in addition, and not
26 subject, to the provisions of RCW 52.04.101.

27 The withdrawal of an area from the boundaries of a fire protection
28 district shall not exempt any property therein from taxation for the
29 purpose of paying the costs of redeeming any indebtedness of the fire
30 protection district existing at the time of the withdrawal.

31 (3) An area that has been withdrawn from the boundaries of a fire
32 protection district under this section may be reannexed into the fire
33 protection district upon: (a) Adoption of a resolution by the board of
34 fire commissioners proposing the reannexation; and (b) adoption of a
35 resolution by the city or town council approving the reannexation, if
36 the area is located within the city or town, or adoption of a
37 resolution by the county legislative authority or authorities of the

1 county or counties within which the area is located approving the
2 reannexation, if the area is located outside of a city or town. The
3 reannexation shall be effective at the end of the day on the thirty-
4 first day of December in the year in which the adoption of the second
5 resolution occurs, but for purposes of establishing boundaries for
6 property tax purposes, the boundaries shall be established immediately
7 upon the adoption of the second resolution. Referendum action on the
8 proposed reannexation may be taken by the voters of the area proposed
9 to be reannexed if a petition calling for a referendum is filed with
10 the city or town council, or county legislative authority or
11 authorities, within a thirty-day period after the adoption of the
12 second resolution, which petition has been signed by registered voters
13 of the area proposed to be reannexed equal in number to ten percent of
14 the total number of the registered voters residing in that area.

15 If a valid petition signed by the requisite number of registered
16 voters has been so filed, the effect of the resolutions shall be held
17 in abeyance and a ballot proposition to authorize the reannexation
18 shall be submitted to the voters of the area at the next special
19 election date specified in RCW 29.13.020 that occurs (~~forty-five~~)
20 fifty-five or more days after the petitions have been validated.
21 Approval of the ballot proposition authorizing the reannexation by a
22 simple majority vote shall authorize the reannexation.

23 **Sec. 25.** RCW 52.04.071 and 1984 c 230 s 16 are each amended to
24 read as follows:

25 The county legislative authority or authorities shall by resolution
26 call a special election to be held in the city or town and in the fire
27 protection district at the next date provided in RCW 29.13.010 but not
28 less than (~~forty-five~~) fifty-five days from the date of the
29 declaration of the finding, and shall cause notice of the election to
30 be given as provided for in RCW 29.27.080.

31 The election on the annexation of the city or town into the fire
32 protection district shall be conducted by the auditor of the county or
33 counties in which the city or town and the fire protection district are
34 located in accordance with the general election laws of the state. The
35 results thereof shall be canvassed by the canvassing board of the
36 county or counties. No person is entitled to vote at the election
37 unless he or she is a qualified elector in the city or town or unless

1 he or she is a qualified elector within the boundaries of the fire
2 protection district. The ballot proposition shall be in substantially
3 the following form:

4 "Shall the city or town of be annexed to and be a part
5 of fire protection district?

6 YES

7 NO "

8 If a majority of the persons voting on the proposition in the city
9 or town and a majority of the persons voting on the proposition in the
10 fire protection district vote in favor thereof, the city or town shall
11 be annexed and shall be a part of the fire protection district.

12 **Sec. 26.** RCW 53.04.110 and 1998 c 240 s 1 are each amended to read
13 as follows:

14 Any port district now existing or which may hereafter be organized
15 under the laws of the state of Washington is hereby authorized to
16 change its corporate name under the following conditions and in the
17 following manner:

18 (1) On presentation, at least (~~forty-five~~) fifty-five days before
19 any general port election to be held in the port district, of a
20 petition to the commissioners of any port district now existing or
21 which may hereafter be established under the laws of the state of
22 Washington, signed by at least ten percent of the total number of
23 voters of the port district who voted at the last general port election
24 and asking that the corporate name of the port district be changed, it
25 shall be the duty of the commissioners to submit to the voters of the
26 port district the proposition as to whether the corporate name of the
27 port shall be changed. The proposition shall be submitted at the next
28 general port election.

29 (2) The petition shall contain the present corporate name of the
30 port district and the corporate name which is proposed to be given to
31 the port district.

32 (3) On submitting the proposition to the voters of the port
33 district it shall be the duty of the port commissioners to cause to be
34 printed on the official ballot used at the election the following
35 proposition:

1 "Shall the corporate name, 'Port of.....' be
2 changed to 'Port of.....'..... YES
3 "Shall the corporate name, 'Port of.....' be
4 changed to 'Port of.....'.....NO"

5 (4) At the time when the returns of the general election shall be
6 canvassed by the commissioners of the port district, it shall be the
7 duty of the commissioners to canvass the vote upon the proposition so
8 submitted, recording in their record the result of the canvass.

9 (5) Should a majority of the registered voters of the port district
10 voting at the general port election vote in favor of the proposition it
11 shall be the duty of the port commissioners to certify the fact to the
12 auditor of the county in which the port district shall be situated and
13 to the secretary of state of the state of Washington, under the seal of
14 the port district. On and after the filing of the certificate with the
15 county auditor as aforesaid and with the secretary of state of the
16 state of Washington, the corporate name of the port district shall be
17 changed, and thenceforth the port district shall be known and
18 designated in accordance therewith.

19 **Sec. 27.** RCW 54.08.010 and 1985 c 469 s 55 are each amended to
20 read as follows:

21 At any general election held in an even-numbered year, the county
22 legislative authority of any county in this state may, or, on petition
23 of ten percent of the qualified electors of the county based on the
24 total vote cast in the last general county election held in an even-
25 numbered year, shall, by resolution, submit to the voters of the county
26 the proposition of creating a public utility district which shall be
27 coextensive with the limits of the county as now or hereafter
28 established. A form of petition for the creation of a public utility
29 district shall be submitted to the county auditor within ten months
30 prior to the election at which the proposition is to be submitted to
31 the voters. Petitions shall be filed with the county auditor not less
32 than four months before the election and the county auditor shall
33 within thirty days examine the signatures thereof and certify to the
34 sufficiency or insufficiency thereof. If the petition be found to be
35 insufficient, it shall be returned to the persons filing the same, who
36 may amend or add names thereto for ten days, when the same shall be
37 returned to the county auditor, who shall have an additional fifteen

1 days to examine the same and attach his certificate thereto. No person
2 having signed the petition shall be allowed to withdraw his name
3 therefrom after the filing of the same with the county auditor:
4 PROVIDED, That each signature shall be dated and that no signature
5 dated prior to the date on which the form of petition was submitted to
6 the county auditor shall be valid. Whenever the petition shall be
7 certified to as sufficient, the county auditor shall forthwith transmit
8 the same, together with his certificate of sufficiency attached
9 thereto, to the county legislative authority which shall submit the
10 proposition to the voters of the county at the next general election in
11 an even-numbered year occurring ((~~forty-five~~)) fifty-five days after
12 submission of the proposition to the legislative authority. The notice
13 of the election shall state the boundaries of the proposed public
14 utility district and the object of such election, and shall in other
15 respects conform to the requirements of the general laws of the state
16 of Washington, governing the time and manner of holding elections. In
17 submitting the question to the voters for their approval or rejection,
18 the proposition shall be expressed on the ballot substantially in the
19 following terms:

- 20 Public Utility District No. YES
- 21 Public Utility District No. NO

22 Any petition for the formation of a public utility district may
23 describe a less area than the entire county in which the petition is
24 filed, the boundaries of which shall follow the then existing precinct
25 boundaries and not divide any voting precinct; and in the event that
26 such a petition is filed the county legislative authority shall fix a
27 date for a hearing on such petition, and shall publish the petition,
28 without the signatures thereto appended, for two weeks prior to the
29 date of the hearing, together with a notice stating the time of the
30 meeting when the petition will be heard. The publication, and all
31 other publications required by chapter 1, Laws of 1931, shall be in a
32 newspaper of general circulation in the county in which the district is
33 situated. The hearing on the petition may be adjourned from time to
34 time, not exceeding four weeks in all. If upon the final hearing the
35 county legislative authority shall find that any lands have been
36 unjustly or improperly included within the proposed public utility
37 district and will not be benefited by inclusion therein, it shall
38 change and fix the boundary lines in such manner as it shall deem

1 reasonable and just and conducive to the public welfare and
2 convenience, and make and enter an order establishing and defining the
3 boundary lines of the proposed public utility district: PROVIDED, That
4 no lands shall be included within the boundaries so fixed lying outside
5 the boundaries described in the petition, except upon the written
6 request of the owners of those lands. Thereafter the same procedure
7 shall be followed as prescribed in this chapter for the formation of a
8 public utility district including an entire county, except that the
9 petition and election shall be confined solely to the lesser public
10 utility district.

11 No public utility district created after September 1, 1979, shall
12 include any other public utility district within its boundaries:
13 PROVIDED, That this paragraph shall not alter, amend, or modify
14 provisions of chapter 54.32 RCW.

15 **Sec. 28.** RCW 54.08.070 and 1979 ex.s. c 240 s 2 are each amended
16 to read as follows:

17 Any district which does not own or operate electric facilities for
18 the generation, transmission or distribution of electric power on March
19 25, 1969, or any district which hereafter does not construct or acquire
20 such electric facilities within ten years of its creation, shall not
21 construct or acquire any such electric facilities without the approval
22 of such proposal by the voters of such district: PROVIDED, That a
23 district shall have the power to construct or acquire electric
24 facilities within ten years following its creation by action of its
25 commission without voter approval of such action.

26 At any general election held in an even-numbered year, the proposal
27 to construct or acquire electric facilities may be submitted to the
28 voters of the district by resolution of the public utility district
29 commission or shall be submitted to the voters of the district by the
30 county legislative authority on petition of ten percent of the
31 qualified electors of such district, based on the total vote cast in
32 the last general county election held in an even-numbered year. A form
33 of petition for the construction or acquisition of electric facilities
34 by the public utility district shall be submitted to the county auditor
35 within ten months prior to the election at which such proposition is to
36 be submitted to the voters. Petitions shall be filed with the county
37 auditor not less than four months before such election and the county

1 auditor shall within thirty days examine the signatures thereof and
2 certify to the sufficiency or insufficiency thereof. If such petition
3 is found to be insufficient, it shall be returned to the persons filing
4 the same, who may amend and add names thereto for ten days, when the
5 same shall be returned to the county auditor, who shall have an
6 additional fifteen days to examine the same and attach his certificate
7 thereto. No person having signed such petition shall be allowed to
8 withdraw his name therefrom after the filing of the same with the
9 county auditor: PROVIDED, That each signature shall be dated and that
10 no signature dated prior to the date on which the form of petition was
11 submitted to the county auditor shall be valid. Whenever such petition
12 shall be certified to as sufficient, the county auditor shall forthwith
13 transmit the same, together with his certificate of sufficiency
14 attached thereto, to the county legislative authority which shall
15 submit such proposition to the voters of said district at the next
16 general election in an even-numbered year occurring (~~forty-five~~)
17 fifty-five days after submission of the proposition to said legislative
18 authority. The notice of the election shall state the object of such
19 election, and shall in other respects conform to the requirements of
20 the general laws of Washington, governing the time and manner of
21 holding elections.

22 The proposal submitted to the voters for their approval or
23 rejection, shall be expressed on the ballot substantially in the
24 following terms:

25 Shall Public Utility District No. of County
26 construct or acquire electric facilities for the generation,
27 transmission or distribution of electric power?

28 Yes

29 No

30 Within ten days after such election, the election board of the
31 county shall canvass the returns, and if at such election a majority of
32 the voters voting on such proposition shall vote in favor of such
33 construction or acquisition of electric facilities, the district shall
34 be authorized to construct or acquire electric facilities.

35 **Sec. 29.** RCW 57.04.050 and 1999 c 153 s 1 are each amended to read
36 as follows:

1 Upon entry of the findings of the final hearing on the petition if
2 one or more county legislative authorities find that the proposed
3 district will be conducive to the public health, welfare, and
4 convenience and will benefit the land therein, they shall present a
5 resolution to the county auditor calling for a special election to be
6 held at a date specified under RCW 29.13.020, that occurs (~~forty-~~
7 ~~five~~) fifty-five or more days after the resolution is presented, at
8 which a ballot proposition authorizing the district to be created shall
9 be submitted to voters for their approval or rejection. The
10 commissioners shall cause to be published a notice of the election for
11 four successive weeks in a newspaper of general circulation in the
12 proposed district, which notice shall state the hours during which the
13 polls will be open, the boundaries of the district as finally adopted
14 and the object of the election, and the notice shall also be posted ten
15 days in ten public places in the proposed district. The district shall
16 be created if the ballot proposition authorizing the district to be
17 created is approved by a majority of the voters voting on the
18 proposition.

19 A separate ballot proposition authorizing the district, if created,
20 to impose a single-year excess levy for the preliminary expenses of the
21 district shall be submitted to voters for their approval or rejection
22 at the same special election, if the petition to create the district
23 also proposed that a ballot proposition authorizing an excess levy be
24 submitted to voters for their approval or rejection. The excess levy
25 shall be proposed in the amount specified in the petition to create the
26 district, not to exceed one dollar and twenty-five cents per thousand
27 dollars of assessed value, and may only be submitted to voters for
28 their approval or rejection if the special election is held in
29 February, March, April, or May. The proposition to be effective must
30 be approved in the manner set forth in Article VII, section 2(a) of the
31 state Constitution.

32 **Sec. 30.** RCW 70.44.235 and 1987 c 138 s 4 are each amended to read
33 as follows:

34 (1) As provided in this section, a public hospital district may
35 withdraw areas from its boundaries, or reannex areas into the public
36 hospital district that previously had been withdrawn from the public
37 hospital district under this section.

1 (2) The withdrawal of an area shall be authorized upon: (a)
2 Adoption of a resolution by the hospital district commissioners
3 requesting the withdrawal and finding that, in the opinion of the
4 commissioners, inclusion of this area within the public hospital
5 district will result in a reduction of the district's tax levy rate
6 under the provisions of RCW 84.52.010; and (b) adoption of a resolution
7 by the city or town council approving the withdrawal, if the area is
8 located within the city or town, or adoption of a resolution by the
9 county legislative authority of the county within which the area is
10 located approving the withdrawal, if the area is located outside of a
11 city or town. A withdrawal shall be effective at the end of the day on
12 the thirty-first day of December in the year in which the resolutions
13 are adopted, but for purposes of establishing boundaries for property
14 tax purposes, the boundaries shall be established immediately upon the
15 adoption of the second resolution.

16 The withdrawal of an area from the boundaries of a public hospital
17 district shall not exempt any property therein from taxation for the
18 purpose of paying the costs of redeeming any indebtedness of the public
19 hospital district existing at the time of the withdrawal.

20 (3) An area that has been withdrawn from the boundaries of a public
21 hospital district under this section may be reannexed into the public
22 hospital district upon: (a) Adoption of a resolution by the hospital
23 district commissioners proposing the reannexation; and (b) adoption of
24 a resolution by the city or town council approving the reannexation, if
25 the area is located within the city or town, or adoption of a
26 resolution by the county legislative authority of the county within
27 which the area is located approving the reannexation, if the area is
28 located outside of a city or town. The reannexation shall be effective
29 at the end of the day on the thirty-first day of December in the year
30 in which the adoption of the second resolution occurs, but for purposes
31 of establishing boundaries for property tax purposes, the boundaries
32 shall be established immediately upon the adoption of the second
33 resolution. Referendum action on the proposed reannexation may be
34 taken by the voters of the area proposed to be reannexed if a petition
35 calling for a referendum is filed with the city or town council, or
36 county legislative authority, within a thirty-day period after the
37 adoption of the second resolution, which petition has been signed by

1 registered voters of the area proposed to be reannexed equal in number
2 to ten percent of the total number of the registered voters residing in
3 that area.

4 If a valid petition signed by the requisite number of registered
5 voters has been so filed, the effect of the resolutions shall be held
6 in abeyance and a ballot proposition to authorize the reannexation
7 shall be submitted to the voters of the area at the next special
8 election date specified in RCW 29.13.020 that occurs ((~~forty-five~~)
9 fifty-five or more days after the petitions have been validated.
10 Approval of the ballot proposition authorizing the reannexation by a
11 simple majority vote shall authorize the reannexation.

12 NEW SECTION. **Sec. 31.** This act takes effect January 1, 2004.

--- END ---