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SENATE BILL 6239

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State of Washington

60th Legislature

2008 Regular Session

By Senator Fairley

Read first time 01/14/08. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to ad hoc review board processes for annexation  
2 proposals; amending RCW 35.13.165 and 35.13.176; and repealing RCW  
3 35.13.171, 35.13.172, 35.13.173, and 35.13.174.

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

5 NEW SECTION. **Sec. 1.** The following acts or parts of acts are each  
6 repealed:

7 (1) RCW 35.13.171 (Review board--Convening--Composition) and 1995  
8 c 399 s 35, 1985 c 6 s 2, 1973 1st ex.s. c 164 s 14, & 1965 c 7 s  
9 35.13.171;

10 (2) RCW 35.13.172 (When review procedure may be dispensed with) and  
11 1981 c 260 s 6;

12 (3) RCW 35.13.173 (Determination by review board--Factors  
13 considered--Filing of findings) and 1973 1st ex.s. c 164 s 16 & 1965 c  
14 7 s 35.13.173; and

15 (4) RCW 35.13.174 (Date for annexation election if review board's  
16 determination favorable) and 1997 c 429 s 38, 1973 1st ex.s. c 164 s  
17 17, & 1965 c 7 s 35.13.174.

1       **Sec. 2.** RCW 35.13.165 and 1989 c 351 s 7 are each amended to read  
2 as follows:

3       At any time before the date is set for an annexation election under  
4 RCW 35.13.060 (~~or 35.13.174~~), all further proceedings to annex shall  
5 be terminated upon the filing of verified declarations of termination  
6 signed by:

7       (1) Owners of real property consisting of at least sixty percent of  
8 the assessed valuation in the area proposed to be annexed; or

9       (2) Sixty percent of the owners of real property in the area  
10 proposed to be annexed.

11       As used in this subsection, the term "owner" shall include  
12 individuals and corporate owners. In determining who is a real  
13 property owner for purposes of this section, all owners of a single  
14 parcel shall be considered as one owner. No owner may be entitled to  
15 sign more than one declaration of termination.

16       Following the termination of such proceedings, no other petition  
17 for annexation affecting any portion of the same property may be  
18 considered by any government body for a period of five years from the  
19 date of filing.

20       The provisions of this section shall apply only to cities with a  
21 population greater than four hundred thousand.

22       **Sec. 3.** RCW 35.13.176 and 1994 c 216 s 7 are each amended to read  
23 as follows:

24       After a petition proposing an annexation by a city or town is filed  
25 with the city or town or the governing body of the city or town, or  
26 after a resolution proposing an annexation by a city or town has been  
27 adopted by the city or town governing body, no territory included in  
28 the proposed annexation may be annexed by another city or town or  
29 incorporated into a city or town unless: (1) The boundary review board  
30 modifies the boundaries of the proposed annexation and removes the  
31 territory; (2) the boundary review board (~~or review board created~~  
32 ~~under RCW 35.13.171~~) rejects the proposed annexation; or (3) the city  
33 or town governing body rejects the proposed annexation or voters defeat  
34 the ballot proposition authorizing the annexation.

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