

SB 5505 - S AMD 15

By Senators Hill, Chase

ADOPTED 02/25/2011

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 35.13.260 and 1979 c 151 s 25 are each amended to  
4 read as follows:

5 (1) Whenever any territory is annexed to a city or town, a  
6 certificate as hereinafter provided shall be submitted in triplicate to  
7 the office of financial management, hereinafter in this section  
8 referred to as "the office", within thirty days of the effective date  
9 of annexation specified in the relevant ordinance. After approval of  
10 the certificate, the office shall retain the original copy in its  
11 files, and transmit the second copy to the department of transportation  
12 and return the third copy to the city or town. Such certificates shall  
13 be in such form and contain such information as shall be prescribed by  
14 the office. A copy of the complete ordinance containing a legal  
15 description and a map showing specifically the boundaries of the  
16 annexed territory shall be attached to each of the three copies of the  
17 certificate. The certificate shall be signed by the mayor and attested  
18 by the city clerk. Upon request, the office shall furnish  
19 certification forms to any city or town.

20 (2)(a) The resident population of the annexed territory shall be  
21 determined by, or under the direction of, the mayor of the city or  
22 town. ~~((Such population determination shall consist of an actual  
23 enumeration of the population which shall be made in accordance with  
24 practices and policies, and subject to the approval of, the office.))~~

25 (b) If the annexing city or town has a population of ten thousand  
26 or less, the annexed territory consists entirely of one or more partial  
27 federal census blocks, or 2010 federal decennial census data has not  
28 been released within twelve months immediately prior to the date of  
29 annexation, the population determination shall consist of an actual  
30 enumeration of the population.

1 (c) In any circumstance, the city or town may choose to have the  
2 population determination of the entire annexed territory consist of an  
3 actual enumeration. However, if the city or town does not use actual  
4 enumeration for determining population, the annexed territory includes  
5 or consists of one or more complete federal census blocks, and 2010  
6 federal decennial census data has been released within twelve months  
7 immediately prior to the date of annexation, the population  
8 determination shall consist of:

9 (i) Relevant 2010 federal decennial census data pertaining to the  
10 complete block or blocks, as such data has been updated by the most  
11 recent official population estimate released by the office pursuant to  
12 RCW 43.62.030;

13 (ii) An actual enumeration of any population located within the  
14 annexed territory but outside the complete federal census block or  
15 blocks; and

16 (iii) If the office, at least two weeks prior to the date of  
17 annexation, confirms the existence of a known census error within a  
18 complete federal census block and identifies a structure or complex  
19 listed in (c)(iii)(A) through (E) of this subsection (2) as a likely  
20 source of the error, an actual enumeration of one or more of the  
21 block's identified:

22 (A) Group quarters;

23 (B) Mobile home parks;

24 (C) Apartment buildings that are composed of at least fifty units  
25 and are certified for occupancy between January 1, 2010, and April 1,  
26 2011;

27 (D) Missing subdivisions; and

28 (E) Closures of any of the categories in (c)(iii)(A) through (D) of  
29 this subsection.

30 (d) Whenever an actual enumeration is used, it shall be made in  
31 accordance with the practices and policies of, and subject to the  
32 approval of, the office.

33 (e) The city or town shall be responsible for the full cost of the  
34 population determination.

35 (3) The population shall be determined as of the effective date of  
36 annexation as specified in the relevant ordinance.

37 Until an annexation certificate is filed and approved as provided

1 herein, such annexed territory shall not be considered by the office in  
2 determining the population of such city or town.

3 Upon approval of the annexation certificate, the office shall  
4 forward to each state official or department responsible for making  
5 allocations or payments to cities or towns, a revised certificate  
6 reflecting the increase in population due to such annexation. Upon and  
7 after the date of the commencement of the next quarterly period, the  
8 population determination indicated in such revised certificate shall be  
9 used as the basis for the allocation and payment of state funds to such  
10 city or town.

11 For the purposes of this section, each quarterly period shall  
12 commence on the first day of the months of January, April, July, and  
13 October. Whenever a revised certificate is forwarded by the office  
14 thirty days or less prior to the commencement of the next quarterly  
15 period, the population of the annexed territory shall not be considered  
16 until the commencement of the following quarterly period.

17 **Sec. 2.** RCW 35A.14.700 and 1979 ex.s. c 18 s 28 are each amended  
18 to read as follows:

19 (1) Whenever any territory is annexed to a code city, a certificate  
20 as hereinafter provided shall be submitted in triplicate to the office  
21 of financial management within thirty days of the effective date of  
22 annexation specified in the relevant ordinance. After approval of the  
23 certificate, the office of financial management shall retain the  
24 original copy in its files, and transmit the second copy to the  
25 department of transportation and return the third copy to the code  
26 city. Such certificates shall be in such form and contain such  
27 information as shall be prescribed by the office of financial  
28 management. A copy of the complete ordinance containing a legal  
29 description and a map showing specifically the boundaries of the  
30 annexed territory shall be attached to each of the three copies of the  
31 certificate. The certificate shall be signed by the mayor and attested  
32 by the city clerk. Upon request, the office of financial management  
33 shall furnish certification forms to any code city.

34 (2)(a) The resident population of the annexed territory shall be  
35 determined by, or under the direction of, the mayor of the code city.

36 (b) If the annexing code city has a population of ten thousand or  
37 less, the annexed territory consists entirely of one or more partial

1 federal census blocks, or 2010 federal decennial census data has not  
2 been released within twelve months immediately prior to the date of  
3 annexation, the population determination shall consist of an actual  
4 enumeration of the population.

5 (c) In any circumstance, the code city may choose to have the  
6 population determination of the entire annexed territory consist of an  
7 actual enumeration. However, if the code city does not use actual  
8 enumeration for determining population, the annexed territory includes  
9 or consists of one or more complete federal census blocks, and 2010  
10 federal decennial census data has been released within twelve months  
11 immediately prior to the date of annexation, the population  
12 determination shall consist of:

13 (i) Relevant 2010 federal decennial census data pertaining to the  
14 complete block or blocks, as such data has been updated by the most  
15 recent official population estimate released by the office of financial  
16 management pursuant to RCW 43.62.030;

17 (ii) An actual enumeration of any population located within the  
18 annexed territory but outside the complete federal census block or  
19 blocks; and

20 (iii) If the office of financial management, at least two weeks  
21 prior to the date of annexation, confirms the existence of a known  
22 census error within a complete federal census block and identifies a  
23 structure or complex listed in (c)(iii)(A) through (E) of this  
24 subsection (2) as a likely source of the error, an actual enumeration  
25 of one or more of the block's identified:

26 (A) Group quarters;

27 (B) Mobile home parks;

28 (C) Apartment buildings that are composed of at least fifty units  
29 and are certified for occupancy between January 1, 2010, and April 1,  
30 2011;

31 (D) Missing subdivisions; and

32 (E) Closures of any of the categories in (c)(iii)(A) through (D) of  
33 this subsection.

34 (d) Whenever an actual enumeration is used, it shall be made in  
35 accordance with the practices and policies of, and subject to the  
36 approval of, the office of financial management.

37 (e) The code city shall be responsible for the full cost of the  
38 population determination.

1       (3) Upon approval of the annexation certificate, the office of  
2 financial management shall forward to each state official or department  
3 responsible for making allocations or payments to cities or towns, a  
4 revised certificate reflecting the increase in population due to such  
5 annexation. Upon and after the date of the commencement of the next  
6 quarterly period, the population determination indicated in such  
7 revised certificate shall be used as the basis for the allocation and  
8 payment of state funds to such city or town.

9       For the purposes of this section, each quarterly period shall  
10 commence on the first day of the months of January, April, July, and  
11 October. Whenever a revised certificate is forwarded by the office of  
12 financial management thirty days or less prior to the commencement of  
13 the next quarterly period, the population of the annexed territory  
14 shall not be considered until the commencement of the following  
15 quarterly period.

16       (~~The resident population of the annexed territory shall be  
17 determined by, or under the direction of, the mayor of the code city.  
18 Such population determination shall consist of an actual enumeration of  
19 the population which shall be made in accordance with practices and  
20 policies, and subject to the approval of the office of financial  
21 management. The population shall be determined as of the effective  
22 date of annexation as specified in the relevant ordinance.~~)

23       (4) Until an annexation certificate is filed and approved as  
24 provided herein, such annexed territory shall not be considered by the  
25 office of financial management in determining the population of such  
26 code city."

**SB 5505** - S AMD  
By Senators Hill, Chase

**ADOPTED 02/25/2011**

27       On page 1, line 2 of the title, after "territory;" strike the  
28 remainder of the title and insert "and amending RCW 35.13.260 and  
29 35A.14.700."

--- END ---