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## Local Government Committee

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### HB 1848

**Brief Description:** Requiring voter approval for direct petition annexations.

**Sponsors:** Representative Schmick.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Establishes a voter approval requirement for the direct petition annexation methods that may be used by code cities to annex unincorporated territory.</li></ul>
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**Hearing Date:** 2/12/15

**Staff:** Ethan Moreno (786-7386).

**Background:**

Municipal Annexations - General Information.

Current law authorizes multiple methods for municipal annexations. While cities that operate under the Optional Municipal Code (code cities) have statutory requirements for governance and operation that are separate from those that do not, the annexation methods that all cities and towns may employ are generally similar.

Direct Petition Annexations of Territory.

Among other permitted annexation methods, cities (including code cities, non-code cities, and towns) may conduct annexations through a petition-based process involving direct petitions signed by property owners comprising a specific percentage of land value. While voter action is not a component of direct petition annexations under the original direct petition method, an alternative direct petition method of annexation based upon the signatures of qualifying property owners and registered voters was enacted into law in 2003.

The original and alternative direct petition methods of annexation for code cities are initiated through a land owner annexation proposal that is filed with the legislative body of the city. The city has full authority to accept, modify or reject the initial proposal. If the legislative body of

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the city agrees to allow the annexation proposal to proceed, if a proper number of sufficient signatures are collected, if required public hearing and notice provisions are satisfied, and if the city agrees to annex the territory in question, the annexation is formally completed through an adopted city ordinance.

**Summary of Bill:**

A voter approval requirement is established for the original and alternative direct petition methods of annexation for code cities. If, after a required public hearing, the governing body of a code city determines to proceed with an annexation under the original direct petition method or the alternative direct petition method, the city must call for the question of annexation to be decided by the voters of the proposed area in a general or special election. The area subject to the annexation proposal and election may include all or any portion of the area described in the petition, but may not include any property not described in the petition.

The election notice must describe the boundaries of the area proposed to be annexed. The notice must be posted for at least two weeks prior to the election in four public places within the area proposed to be annexed, and published at least once a week for two weeks prior to the date of election in a newspaper of general circulation within the territory proposed for annexation. The notice is in addition to notice required by general election law.

The annexation proposal, including any provisions related to the assumption of indebtedness, the simultaneous adoption of a proposed zoning regulation, or both, as they may have been described in the signed petitions, may be authorized only if: (a) the proposal is approved by at 60 percent of the voters of the area proposed to be annexed that are voting on the measure; and (b) the number of persons voting on the measure constitutes at least 40 percent of the total number of votes cast in the area at the preceding general election.

If the annexation proposal is approved by the voters, the legislative body of the annexing city must adopt an ordinance providing for the annexation, including any provisions related to the assumption of indebtedness, the simultaneous adoption of a proposed zoning regulation, or both. Upon the date fixed in the ordinance of annexation, a certified copy of which must be filed with the legislative body of the county in which the annexed property is located, the area annexed must become part of the city.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.