
ENGROSSED SUBSTITUTE SENATE BILL 5048

State of Washington

64th Legislature

2015 Regular Session

By Senate Government Operations & Security (originally sponsored by Senators Chase, Roach, Hatfield, and Miloscia)

READ FIRST TIME 02/11/15.

1 AN ACT Relating to the referendum of assumptions of water-sewer
2 districts by cities and towns; and adding new sections to chapter
3 35.13A RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.13A
6 RCW to read as follows:

7 (1) Except as provided otherwise by subsection (4) of this
8 section, a resolution or ordinance adopted by the legislative body of
9 a city to assume jurisdiction of all or part of a water-sewer
10 district under this chapter is subject to a referendum. If a city has
11 adopted a resolution or ordinance to assume jurisdiction of all or
12 part of a water-sewer district under this chapter on or after January
13 1, 2014, the city shall adopt a resolution or ordinance confirming
14 the assumption, which must be treated in the same manner as a
15 resolution or ordinance to assume jurisdiction of all or part of a
16 water-sewer district and is subject to a referendum as described in
17 this section. Any referendum petition to repeal the assumption
18 resolution or ordinance must be filed with the county auditor within
19 ten days of passage of the resolution or ordinance. Within ten days
20 of the filing of a petition, the county auditor must confer with the
21 petitioner concerning the form and style of the petition, issue an

1 identification number for the petition, and write a ballot title for
2 the measure. The ballot title must be posed as a question so that an
3 affirmative answer to the question and a majority affirmative vote on
4 the measure results in approval of the proposed assumption, and a
5 negative answer to the question and a majority negative vote on the
6 measure results in the assumption being barred. The petitioner must
7 be notified of the identification number and ballot title within this
8 ten-day period. After this notification, the petitioner has forty-
9 five days in which to secure on petition forms the signatures of at
10 least ten percent of the number of voters residing in the part of the
11 water-sewer district subject to the assumption resolution or
12 ordinance who voted in the most recent general election, and file the
13 signed petitions with the county auditor. Each petition form must
14 contain the ballot title and full text of the measure to be referred.
15 The county auditor must verify the sufficiency of the signatures on
16 the petitions.

17 (2) If sufficient valid signatures on the petitions are properly
18 submitted, the county auditor must submit the referendum measure to
19 the registered voters residing in the part of the water-sewer
20 district subject to the assumption resolution or ordinance in a
21 general or special election no later than one hundred twenty days
22 after the signed petition has been filed with the county auditor.
23 Elections must be conducted in accordance with general election law,
24 and the cost of the election must be borne by the city seeking
25 approval to assume jurisdiction of the water-sewer district. The city
26 must produce a local voters' pamphlet as provided in RCW 29A.32.210
27 through 29A.32.280.

28 (3) When a referendum petition is filed with the county auditor,
29 the assumption resolution or ordinance sought to be referred to the
30 voters, and any proceedings before a boundary review board under
31 chapter 36.93 RCW, are suspended from taking effect. Such suspension
32 terminates when: (a) There is a final determination of insufficiency
33 or untimeliness of the referendum petition; or (b) the assumption
34 resolution or ordinance so referred is approved by the voters at a
35 referendum election.

36 (4) If a city legislative authority assumes jurisdiction of all
37 or part of a water-sewer district through a contract with a water-
38 sewer district, or through an interlocal agreement with a water-sewer
39 district under chapter 39.34 RCW, the provisions of this section do
40 not apply.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.13A
2 RCW to read as follows:
3 A resolution or ordinance adopted by a city in accordance with
4 this chapter to assume jurisdiction of all or part of a district may
5 not take effect until forty-five or more days after its adoption.

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