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## Local Government Committee

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### HB 1699

**Brief Description:** Concerning the deannexation of a portion of land from a park and recreation district.

**Sponsors:** Representatives Eslick, Peterson and Griffey.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Authorizes a city, town, or county to deannex a portion of a jurisdiction from a parks and recreation district.</li></ul>
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**Hearing Date:** 2/8/19

**Staff:** Yvonne Walker (786-7841).

**Background:**

A park and recreation district is a type of special purpose district created to provide leisure time activities, facilities, and recreational facilities as a public service to the residents of the area within its boundaries. Its area may include incorporated and unincorporated property. The process of creating a park and recreation district requires the submission of a petition to the county signed by 15 percent of the registered voters within the area proposed to encompass the park and recreation district. The board of county commissioners specifies the boundaries of the proposed district and, together with any funding obligations, presents the matter to the voters in the form of a ballot proposition for approval.

A park and recreation district is governed by a board of five elected commissioners with 4-year staggered terms. The district may fund its operations by means of excess levies and regular property tax levies. Disposal of property must be by unanimous vote of the district commissioners.

Dissolution of Park and Recreation District.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

A dissolution of a park and recreation district is conducted in the same manner as required of port districts. For the purpose of a dissolution of a park and recreation district, a petition must be signed either by a majority of commissioners or other governing authority of the district and submitted to the superior court. Upon the filing of the petition, a hearing date must be set along with public notice of the hearing. After the hearing, the court must enter an order dissolving or refusing to dissolve the district. If the court finds that dissolution of the district is to take place then the court must order the sale of the district's assets. A second hearing date and public notice must take place prior to the court ordering the sale of any district property.

### **Summary of Bill:**

A city, town, or county, which is part of a parks and recreation district (district), is authorized to withdraw that portion of the city, town, or county, from the parks and recreation district.

A city, town, or county may withdraw that portion of the local jurisdiction from the district when:

- both the governing body of a park district and the governing body of the local jurisdiction, which are part of the district, adopt a resolution and findings of fact supporting deannexation of that portion of the local jurisdiction that is part of the district;
- ten percent of the voters, from the last general election, of the city or county petition the governing officials for such a vote; or
- a district located in a county with a population of 210,000 or more has not actively carried out any of the purposes or functions of the district in the preceding five years for which the district was formed.

After adoption of the resolution, receipt of the petition with the requisite number of voters, or a determination that the district has been inactive, the governing body of the city, town, or county must: (1) draft a ballot; (2) give appropriate notice to the public regarding the ballot measure; and (3) submit the ballot to the voters of the city, town, or county, which are part of the district at the next general election.

If 50 percent of the total persons voting on the ballot measure approve the deannexation, the ballot measure is approved and the deannexation becomes effective at the end of the day on December 31 in the year in which the ballot measure was approved. Property that is withdrawn from a district is not exempt from taxation for the purpose of paying the costs of redeeming any indebtedness of the park and recreation district existing at the time of the withdrawal.

An area that has been withdrawn from a district may also be reannexed into the park and recreation district upon adoption of a resolution by the: (1) governing body proposing the reannexation; and (2) park and recreation district approving the reannexation.

The reannexation becomes effective at the end of the day on December 31 in the year in which the adoption of the second resolution occurs. However, for purposes of establishing boundaries for property tax purposes, the boundaries must be established immediately upon the adoption of the second resolution.

Referendum action on the proposed reannexation may be taken by the voters of the area proposed to be reannexed if a petition calling for a referendum is filed with the park and recreation district within a 30-day period after the adoption of the second resolution. The

petition must be signed by registered voters of the area proposed to be reannexed equal in number to ten percent of the total number of the registered voters residing in that area. If a valid petition is filed, a ballot proposition authorizing the reannexation must be submitted to the voters of the area at the next special election date. The ballot is approved by a simple majority vote.

The term "deannex" means to withdraw a specified portion of land from a park and recreation district.

**Appropriation:** None.

**Fiscal Note:** Available.

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