

# HOUSE BILL REPORT

## SHB 1620

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### As Passed Legislature

**Title:** An act relating to the number of inhabitants required for incorporation as a city or town.

**Brief Description:** Concerning the number of inhabitants required for incorporation as a city or town.

**Sponsors:** House Committee on Local Government (originally sponsored by Representatives Fey and Morgan).

#### **Brief History:**

##### **Committee Activity:**

Local Government: 2/1/23, 2/3/23 [DPS].

##### **Floor Activity:**

Passed House: 2/9/23, 97-0.

Passed Senate: 3/31/23, 47-1.

Passed Legislature.

#### **Brief Summary of Substitute Bill**

- Provides that the requirement that an area must have at least 3,000 inhabitants, instead of the otherwise standard 1,500, to incorporate if it is within 5 air miles of a city with a population of 15,000 or more lapses until June 30, 2028.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Berg, Griffey and Riccelli.

**Staff:** Kellen Wright (786-7134).

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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 part of the legislation nor does it constitute a statement of legislative intent.*

**Background:**

An unincorporated area in the State of Washington can incorporate into a town or city if certain requirements are met. The area must be contiguous and contain at least 1,500 inhabitants, or at least 3,000 inhabitants if the area is within 5 air miles of a city with 15,000 or more people. A registered voter in the area proposed for incorporation may initiate incorporation proceedings by filing a notice with the county containing information about the proposed city or town and paying a \$100 filing fee. The county boundary review board, or the county legislative authority if there is no boundary review board in the county, must then hold a public meeting on the proposed incorporation. Within 180 days of the meeting, at least 10 percent of the population of the area must sign a petition for incorporation and have it filed with the county auditor.

If these steps are satisfied, an election will be held to determine whether or not the area will incorporate. To be eligible to vote in the election, a voter must be qualified to vote in the county and must have resided within the area proposed for incorporation for at least 30 days. If a majority vote in favor of incorporation, the new city or town is incorporated.

**Summary of Substitute Bill:**

The requirement that an area within 5 air miles of a city of 15,000 or more must have at least 3,000 inhabitants in order for it to incorporate, instead of at least 1,500 inhabitants, lapses until June 30, 2028.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains multiple effective dates. Please refer to the bill.

**Staff Summary of Public Testimony:**

(In support) Dash Point and Browns Point want to be able to have a conversation about whether they should incorporate, be annexed, or remain in the county, but the current law doesn't give them the option of incorporating. This bill allows them to determine what best meets their needs. These communities are isolated and almost like an island. This makes these communities difficult for the county to serve. Law enforcement may take 40 minutes to respond to a call, and the county has trouble having a deputy in the area full time. Residents have called police only to have them say they don't serve the area. This bill allows for self-determination for communities that does not exist under current law. Thousands of citizens across the state could have the ability to take action for self-determination as well. Equity and equality are improved by this bill, as no citizen would be told that they don't have a voice because their population is not large enough, and instead everyone would be counted equally and would have the freedom to determine their own

path. This bill would allow an opportunity to speak with community members, listen to their concerns, and to create a strategic plan for the community. The community has unique challenges and needs involving things like tourism, water service, sewer service, law enforcement, homelessness, wildlife and the environment, and land use, and this would allow the community to address those issues itself. The community is a small one, and needs to have more control over the issues in the community.

(Opposed) None.

**Persons Testifying:** Representative Jake Fey, prime sponsor; Jim West; Karen Ries; Leslie McQuistin; Stirling Smith; Leo Emerson; and Marty Campbell, Pierce County.

**Persons Signed In To Testify But Not Testifying:** None.