S-0106.2

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SENATE BILL 5154**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 69th Legislature 2025 Regular Session**

**By** Senators Goehner and Bateman

AN ACT Relating to the duties of county auditors; amending RCW 36.22.010, 36.22.040, 36.32.110, 36.32.440, and 5.44.070; adding new sections to chapter 36.32 RCW; and repealing RCW 36.22.020 and 36.22.120.

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

**Sec.**  RCW 36.22.010 and 2009 c 337 s 3 are each amended to read as follows:

The county auditor:

(1) Shall be recorder of deeds and other instruments in writing which by law are to be filed and recorded in and for the county for which he or she is elected, and all other duties prescribed in Title 65 RCW;

(2) Shall keep an account current with the county treasurer, charge all money received as shown by receipts issued and credit all disbursements paid out according to the record of settlement of the treasurer with the legislative authority;

(3) Shall make out and transmit to the state auditor a statement of the state fund account with the county in accordance with standards developed by the state auditor. The statement must be available to the public;

(4) Shall make available a complete exhibit of the prior-year finances of the county including, but not limited to, a statement of financial condition and financial operation in accordance with standards developed by the state auditor. This exhibit shall be made available after the financial records are closed for the prior year;

(5) Shall make out a register of all warrants legally authorized and directed to be issued by the legislative body at any regular or special meeting. The auditor shall make the data available to the county treasurer. The auditor shall retain the original of the register of warrants for future reference;

(6) ((~~As clerk of the board of county commissioners, shall:~~

~~Record all of the proceedings of the legislative authority;~~

~~Make full entries of all of their resolutions and decisions on all questions concerning the raising of money for and the allowance of accounts against the county;~~

~~Record the vote of each member on any question upon which there is a division or at the request of any member present;~~

~~Sign~~)) Shall sign all orders made and warrants issued by order of the legislative authority for the payment of money;

((~~Record~~)) (7) Shall record the reports of the county treasurer of the receipts and disbursements of the county;

((~~Preserve and file all accounts acted upon by the legislative authority;~~

~~Preserve and file all petitions and applications for franchises and record the action of the legislative authority thereon;~~

~~Record all orders levying taxes;~~

~~Perform all other duties required by any rule or order of the legislative authority.~~)) (8) Shall prepare a budget pursuant to RCW 36.40.010 through 36.40.050;

(9) May hire an internal auditor or assign internal auditor tasks to an employee of the auditor, who operates independently;

(10) Shall conduct elections pursuant to Title 29A RCW;

(11) May serve as an agent of the department of licensing pursuant to Title 46 RCW; and

(12) May perform other duties, by mutual agreement with the county commissioners, through a memorandum of understanding.

**Sec.**  RCW 36.22.040 and 2009 c 549 s 4024 are each amended to read as follows:

The county auditor or financial officer designated in a charter county shall audit all claims, disbursements, transfers, demands, and accounts against the county which by law are chargeable to the county, except such cost or fee bills as are by law to be examined or approved by some other judicial tribunal or officer. The county auditor shall audit all transfers involving restricted funds held by the county. Such claims as it is his or her duty to audit shall be presented to the board of county commissioners for their examination and allowance.

**Sec.**  RCW 36.32.110 and 1981 c 240 s 1 are each amended to read as follows:

((~~The county auditor shall be the clerk of the board of county commissioners unless the board of county commissioners designates~~)) (1) The board of county commissioners shall designate one of its employees to serve as clerk who shall attend its meetings and keep a record of its proceedings.

(2) The clerk of the board of county commissioners shall:

(a) Record all of the proceedings of the legislative authority;

(b) Make full entries of all of their resolutions and decisions on all questions concerning the raising of money for and the allowance of accounts against the county;

(c) Record the vote of each member on any question upon which there is a division or at the request of any member present;

(d) Preserve and file all accounts acted upon by the legislative authority;

(e) Preserve and file all petitions and applications for franchises and record the action of the legislative authority thereon;

(f) Record all orders levying taxes; and

(g) Perform all other duties required by any rule or order of the legislative authority.

NEW SECTION. **Sec.**  A new section is added to chapter 36.32 RCW to read as follows:

(1) It is the duty of the clerk of the board of county commissioners, within 15 days after the adjournment of each regular session, to publish a summary of the proceedings of the legislative authority in any newspaper published in the county or having a general circulation therein or the clerk may post copies of such proceedings in three of the most public places in the county.

(2) The seal of the county commissioners for each county, used by the clerk of the board of county commissioners to attest the proceedings of the legislative authority, shall be and remain in the custody of the clerk, and the clerk is hereby authorized to use such seal in attestation of all official acts.

NEW SECTION. **Sec.**  A new section is added to chapter 36.32 RCW to read as follows:

In case the clerk of the board of county commissioners is unable to attend to the duties of his or her office during any session of the board of county commissioners and has no deputy appointed in attendance, the board may temporarily appoint a suitable person not by law disqualified from acting as such to perform the duties of the clerk.

**Sec.**  RCW 36.32.440 and 1974 ex.s. c 171 s 3 are each amended to read as follows:

The board of county commissioners of the several counties may employ such staff as deemed appropriate to assist with budgetary preparations as set forth in RCW 36.40.010 through 36.40.050 and to serve the several boards directly in matters including but not limited to purchasing, poverty and relief programs, parks and recreation, emergency services, ((~~budgetary preparations set forth in RCW 36.40.010-36.40.050,~~)) code enforcement and general administrative coordination. Such authority shall in no way infringe upon or relieve the county auditor of responsibilities contained in RCW 36.22.010((~~(9) and 36.22.020~~)).

**Sec.**  RCW 5.44.070 and Code 1881 s 2737 are each amended to read as follows:

Copies of all deeds or other instruments of writing, maps, documents and papers which by law are to be filed or recorded in the office of ((~~said~~)) the county auditor, and all transcripts or exemplifications of the records of the proceedings of the board of county commissioners certified ((~~by said auditor~~)) under official seal, shall be admitted as prima facie evidence in all the courts of this state.

NEW SECTION. **Sec.**  The following acts or parts of acts are each repealed:

(1) RCW 36.22.020 (Publisher of legislative authority proceedings—Custodian of commissioners' seal) and 1995 c 194 s 2 & 1963 c 4 s 36.22.020; and

(2) RCW 36.22.120 (Temporary clerk may be appointed) and 2009 c 549 s 4026 & 1963 c 4 s 36.22.120.

**--- END ---**