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**SUBSTITUTE HOUSE BILL 1357**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** House Local Government (originally sponsored by Representatives Doglio, Macri, Dolan, Barkis, and Appleton)

1 AN ACT Relating to eliminating certain requirements for the  
2 annexation of an unincorporated island of territory; and amending RCW  
3 35A.14.297, 35A.14.299, and 36.93.105.

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

5 **Sec. 1.** RCW 35A.14.297 and 1967 ex.s. c 119 s 35A.14.297 are  
6 each amended to read as follows:

7 On the date set for hearing as provided in RCW 35A.14.295, any  
8 member of the public, including but not limited to residents or  
9 property owners of the area included in the resolution for  
10 annexation, shall be afforded an opportunity to be heard. The  
11 legislative body may provide by ordinance for annexation of the  
12 territory described in the resolution, but the effective date of the  
13 ordinance shall be not less than forty-five days after the passage  
14 thereof. The legislative body shall cause notice of the proposed  
15 effective date of the annexation, together with a description of the  
16 property to be annexed, to be published at least once each week for  
17 two weeks subsequent to passage of the ordinance, in one or more  
18 newspapers of general circulation within the city and in one or more  
19 newspapers of general circulation within the area to be annexed. If  
20 the annexation ordinance provides for assumption of indebtedness or  
21 adoption of a proposed zoning regulation, the notice shall include a

1 statement of such requirements. Such annexation ordinance shall be  
2 subject to referendum for forty-five days after the passage thereof.  
3 Upon the filing of a timely and sufficient referendum petition as  
4 provided in RCW 35A.14.299 below, a referendum election shall be held  
5 as provided in RCW 35A.14.299, and the annexation shall be deemed  
6 approved by the voters unless a majority of the votes cast on the  
7 proposition are in opposition thereto. After the expiration of the  
8 forty-fifth day from, but excluding the date of passage of the  
9 annexation ordinance, if no timely and sufficient referendum petition  
10 has been filed, as provided by RCW 35A.14.299 below, the area annexed  
11 shall become a part of the code city upon the date fixed in the  
12 ordinance of annexation.

13 **Sec. 2.** RCW 35A.14.299 and 2006 c 344 s 25 are each amended to  
14 read as follows:

15 Such annexation ordinance as provided for in RCW 35A.14.297 shall  
16 be subject to referendum for forty-five days after the passage  
17 thereof. Upon the filing of a timely and sufficient referendum  
18 petition with the legislative body, signed by qualified electors in  
19 number equal to not less than (~~ten~~) fifteen percent of the votes  
20 cast in the last general state election in the area to be annexed,  
21 the question of annexation shall be submitted to the voters of such  
22 area in a general election if one is to be held within ninety days or  
23 at a special election called for that purpose according to RCW  
24 29A.04.330. Notice of such election shall be given as provided in RCW  
25 35A.14.070 and the election shall be conducted as provided in RCW  
26 35A.29.151. The annexation shall be deemed approved by the voters  
27 unless a majority of the votes cast on the proposition are in  
28 opposition thereto.

29 After the expiration of the forty-fifth day from but excluding  
30 the date of passage of the annexation ordinance, if no timely and  
31 sufficient referendum petition has been filed, the area annexed shall  
32 become a part of the code city upon the date fixed in the ordinance  
33 of annexation. From and after such date, if the ordinance so  
34 provided, property in the annexed area shall be subject to the  
35 proposed zoning regulation prepared and filed for such area as  
36 provided in RCW 35A.14.330 and 35A.14.340. If the ordinance so  
37 provided, all property within the area annexed shall be assessed and  
38 taxed at the same rate and on the same basis as the property of such  
39 annexing code city is assessed and taxed to pay for any then

1 outstanding indebtedness of such city contracted prior to, or  
2 existing at, the date of annexation.

3 **Sec. 3.** RCW 36.93.105 and 1999 c 153 s 46 are each amended to  
4 read as follows:

5 The following actions shall not be subject to potential review by  
6 a boundary review board:

7 (1) Annexations of territory to a water-sewer district pursuant  
8 to RCW 36.94.410 through 36.94.440;

9 (2) Annexations of unincorporated island of territory within a  
10 code city pursuant to RCW 35A.14.295 through 35A.14.299;

11 (3) Revisions of city or town boundaries pursuant to RCW  
12 35.21.790 or 35A.21.210;

13 ~~((3))~~ (4) Adjustments to city or town boundaries pursuant to  
14 RCW 35.13.340; and

15 ~~((4))~~ (5) Adjustments to city and town boundaries pursuant to  
16 RCW 35.13.300 through 35.13.330.

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