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## Local Government & Housing Committee

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### ESSB 5716

**Brief Description:** Regarding election requirements for the creation of municipal wards.

**Sponsors:** Senate Committee on Government Operations & Elections (originally sponsored by Senator McCaslin).

<p><b>Brief Summary of Engrossed Substitute Bill</b></p> <ul style="list-style-type: none"><li>• Establishes new voter-approval provisions for dividing noncharter code cities into electoral wards.</li></ul>
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**Hearing Date:** 3/23/09

**Staff:** Ethan Moreno (786-7386)

**Background:**

Cities in Washington are classified according to their population at the time of organization (usually incorporation) or reorganization into one of four categories: first class cities; second class cities; towns; and code cities. Code cities operate under the optional municipal code, an alternative form of municipal government established by the Legislature in 1967. Code cities have broad statutory home rule authority in matters of local concern. Of the 281 Washington state cities, 187 operate under the optional municipal code.

Cities and towns are organized under three principal forms of government: the mayor-council form; the council-manager form; and the commission form. Most Washington cities and all 72 towns operate under the mayor-council form. Additionally, the state constitution allows cities with more than 10,000 residents to adopt a charter, a voter-approved set of laws that govern the city.

The councils of noncharter code cities operating under the mayor-council form of government may divide the city into electoral wards or change the boundaries of existing wards. These divisions or modifications do not affect the terms of councilmembers and the representation of

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each city ward must, with some limitations, be in proportion to the population. These divisions or modifications may not occur in the three months prior to a general election in which city councilmembers are to be elected.

Only a resident of a ward may be a candidate for, or hold office as, a councilmember of the ward. Only voters of the ward may vote at a primary to nominate candidates for councilmember of the ward. With some exceptions, voters of the entire city may vote at the general election to elect a councilmember of the ward. Wards must be redrawn every 10 years in accordance with redistricting requirements for local governments.

**Summary of Bill:**

New provisions for dividing noncharter code cities into electoral wards are established. Noncharter code cities may be divided into wards, and boundaries of existing wards may be changed, upon approval of a majority of the voters voting on such a proposal. A proposal to divide the noncharter code city into wards must be put to a vote of the people upon:

- the passage of a resolution of the legislative body of the city; or
- the filing of a sufficient petition with the county auditor signed by registered voters in numbers equal to not less than 10 percent of the votes cast at the last general municipal election.

Ward boundaries may not be changed during the period starting on the 30th day prior to the first day of candidate filing for the primary election and ending with the day of the general election. Additionally, the election to divide the city into wards or modify existing wards must be conducted in accordance with applicable provisions for city and town governance changes.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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