

By Representative Taylor

**HB 1681** - H COMM AMD

By Committee on Environment

1 On page 7, after line 33, insert the following:

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3 "Sec. 5. RCW 35.13.090 and 2015 c 53 s 26 are each amended to  
4 read as follows:

5 (1) The proposition for or against annexation or for or against  
6 annexation and adoption of the comprehensive plan, or for or against  
7 creation of a community municipal corporation, or any combination  
8 thereof, as the case may be, shall be deemed approved if a majority  
9 of the votes cast on that proposition are cast in favor of  
10 annexation or in favor of annexation and adoption of the  
11 comprehensive plan, or for creation of the community municipal  
12 corporation, or any combination thereof, as the case may be. In  
13 addition to the requirement that a majority of the votes cast on the  
14 proposition for or against annexation must be cast in favor of  
15 annexation in order for the annexation to be deemed approved, an  
16 annexation may not be deemed approved unless the election held for  
17 the purpose of deciding the proposition for or against annexation  
18 draws a total number of votes, whether for or against the  
19 proposition, equal to not less than forty percent of the votes cast  
20 in the most recent gubernatorial election in the area to be annexed.

21 (2) If a proposition for or against assumption of all or any  
22 portion of indebtedness was submitted to the registered voters, it  
23 shall be deemed approved if a majority of at least three-fifths of  
24 the registered voters of the territory proposed to be annexed voting  
25 on such proposition vote in favor thereof, and the number of  
26 registered voters voting on such proposition constitutes not less

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1 than forty percent of the total number of votes cast in such  
2 territory at the last preceding general election.

3 (3) If either or both propositions were approved by the  
4 registered voters, the county auditor shall on completion of the  
5 canvassing of the returns transmit to the county legislative  
6 authority and to the clerk of the city or town to which annexation  
7 is proposed a certificate of the election results, together with a  
8 certified abstract of the vote showing the whole number who voted at  
9 the election, the number of votes cast for annexation and the number  
10 cast against annexation or for annexation and adoption of the  
11 comprehensive plan and the number cast against annexation and  
12 adoption of the comprehensive plan or for creation of a community  
13 municipal corporation and the number cast against creation of a  
14 community municipal corporation, or any combination thereof, as the  
15 case may be.

16 (4) If a proposition for assumption of all or of any portion of  
17 indebtedness was submitted to the registered voters, the abstract  
18 shall include the number of votes cast for assumption of  
19 indebtedness and the number of votes cast against assumption of  
20 indebtedness, together with a statement of the total number of votes  
21 cast in such territory at the last preceding general election.

22 (5) If the proposition for creation of a community municipal  
23 corporation was submitted and approved, the abstract shall include  
24 the number of votes cast for the candidates for community council  
25 positions and certificates of election shall be issued pursuant to  
26 RCW 29A.52.360 to the successful candidates who shall assume office  
27 as soon as qualified.

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29 **Sec. 6.** RCW 35A.14.080 and 1979 ex.s. c 124 s 5 are each amended  
30 to read as follows:

31 On the Monday next succeeding the annexation election, the  
32 county canvassing board shall proceed to canvass the returns thereof  
33 and shall submit the statement of canvass to the county legislative  
34 authority.

1 The proposition for or against annexation or for or against  
2 annexation and adoption of the proposed zoning regulation, as the  
3 case may be, shall be deemed approved if a majority of the votes  
4 cast on that proposition are cast in favor of annexation or in favor  
5 of annexation and adoption of the proposed zoning regulation, as the  
6 case may be. If a proposition for or against assumption of all or  
7 any portion of indebtedness was submitted to the electorate, it  
8 shall be deemed approved if a majority of at least three-fifths of  
9 the electors of the territory proposed to be annexed voting on such  
10 proposition vote in favor thereof, and the number of persons voting  
11 on such proposition constitutes not less than forty percent of the  
12 total number of votes cast in such territory at the last preceding  
13 general election. If either or both propositions were approved by  
14 the electors, the county legislative authority shall enter a finding  
15 to that effect on its minutes, a certified copy of which shall be  
16 forthwith transmitted to and filed with the clerk of the city to  
17 which annexation is proposed, together with a certified abstract of  
18 the vote showing the whole number who voted at the election, the  
19 number of votes cast for annexation and the number cast against  
20 annexation or for annexation and adoption of the proposed zoning  
21 regulation and the number cast against annexation and adoption of  
22 the proposed zoning regulation, as the case may be, and if a  
23 proposition for assumption of all or any portion of indebtedness was  
24 submitted to the electorate, the abstract shall include the number  
25 of votes cast for assumption of indebtedness and the number of votes  
26 cast against assumption of indebtedness, together with a statement  
27 of the total number of votes cast in such territory at the last  
28 preceding general election.

29 In addition to the requirement that a majority of the votes cast  
30 on the proposition for or against annexation must be cast in favor  
31 of annexation in order for the annexation to be deemed approved, an  
32 annexation may not be deemed approved unless the election held for  
33 the purpose of deciding the proposition for or against annexation  
34 draws a total number of votes, whether for or against the

1 proposition, equal to not less than forty percent of the votes cast  
2 in the most recent gubernatorial election in the area to be  
3 annexed."

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5       Correct the title.

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EFFECT: Requires that for an annexation to be approved, in addition to the existing requirement that a majority of voters in the area to be annexed cast their vote in favor of the annexation, the annexation election itself must draw a total number of votes, whether for or against the annexation, equal to at least 40 percent of the votes cast in the area to be annexed in the most recent gubernatorial election.

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