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SENATE BILL 6287

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State of Washington

61st Legislature

2010 Regular Session

By Senators Fraser and Fairley

Read first time 01/11/10. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to the disposition of existing voter-approved  
2 indebtedness at the time of annexation of a city, partial city, or town  
3 to a fire protection district; amending RCW 52.04.061 and 52.04.081;  
4 and declaring an emergency.

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

6 **Sec. 1.** RCW 52.04.061 and 2009 c 115 s 1 are each amended to read  
7 as follows:

8 (1) A city or town lying adjacent to a fire protection district may  
9 be annexed to such district if at the time of the initiation of  
10 annexation the population of the city or town is 100,000 or less. The  
11 legislative authority of the city or town may initiate annexation by  
12 the adoption of an ordinance stating an intent to join the fire  
13 protection district specifying the conditions under RCW 52.04.081(3) of  
14 the annexation and finding that the public interest will be served  
15 thereby. If the board of fire commissioners of the fire protection  
16 district shall concur in the annexation and the specified conditions,  
17 notification thereof shall be transmitted to the legislative authority  
18 or authorities of the counties in which the city or town and the  
19 district are situated.

1 (2) When a city or town is located in two counties, and at least  
2 eighty percent of the population resides in one county, all of that  
3 portion of the city lying in that county and encompassing eighty  
4 percent of the population may be annexed to a fire protection district  
5 if at the time of the initiation of annexation the proposed area lies  
6 adjacent to a fire protection district, and the population of the  
7 proposed area is greater than five thousand but less than ten thousand.  
8 The legislative authority of the city or town may initiate annexation  
9 by the adoption of an ordinance stating an intent to join the fire  
10 protection district and finding that the public interest will be served  
11 thereby. If the board of fire commissioners of the fire protection  
12 district shall concur in the annexation, notification thereof must be  
13 transmitted to the legislative authority or authorities of the counties  
14 in which the city or town and the district are situated.

15 **Sec. 2.** RCW 52.04.081 and 2009 c 115 s 3 are each amended to read  
16 as follows:

17 (1) The annual tax levies authorized by chapter 52.16 RCW shall be  
18 imposed throughout the fire protection district, including any city,  
19 partial city as set forth in RCW 52.04.061(2), or town annexed thereto,  
20 except as provided in subsection (3) of this section.

21 (2) Any city, partial city as set forth in RCW 52.04.061(2), or  
22 town annexed to a fire protection district is entitled to levy up to  
23 three dollars and sixty cents per thousand dollars of assessed  
24 valuation less any regular levy made by the fire protection district or  
25 by a library district under RCW 27.12.390 in the incorporated area:  
26 PROVIDED, That the limitations upon regular property taxes imposed by  
27 chapter 84.55 RCW apply.

28 (3) If a city, partial city as set forth in RCW 52.04.061(2), or  
29 town annexing into a fire protection district has then outstanding  
30 voter-approved indebtedness incurred for fire protection related  
31 capital improvements, the annual tax levies authorized by RCW 52.16.080  
32 with respect to indebtedness incurred by the fire protection district  
33 prior to the effective date of the annexation may continue to be levied  
34 and collected, in whole or in part, solely within the boundaries of the  
35 fire protection district as they existed on the last date preceding the  
36 annexation for establishment of taxing district boundaries under RCW  
37 84.09.030 and within the areas outside of the city that are later

1 annexed to the fire protection district. The commissioners of the fire  
2 protection district shall make the determination prior to transmitting  
3 the issue of annexation to the legislative authority or authorities of  
4 counties in which the city, partial city, or town and the district are  
5 situated pursuant to RCW 52.04.061(1). The determination by the  
6 commission is binding upon the district until the outstanding  
7 indebtedness is fully redeemed or defeased.

8 NEW SECTION. Sec. 3. This act is necessary for the immediate  
9 preservation of the public peace, health, or safety, or support of the  
10 state government and its existing public institutions, and takes effect  
11 immediately.

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