

---

ENGROSSED SENATE BILL 5496

---

State of Washington

66th Legislature

2019 Regular Session

By Senators Zeiger and Hunt

Read first time 01/23/19. Referred to Committee on State Government,  
Tribal Relations & Elections.

1 AN ACT Relating to modification of precinct and district boundary  
2 lines; amending RCW 29A.16.050; and reenacting and amending RCW  
3 29A.16.040.

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

5 **Sec. 1.** RCW 29A.16.040 and 2011 c 349 s 5 and 2011 c 10 s 26 are  
6 each reenacted and amended to read as follows:

7 (1) The county legislative authority of each county in the state  
8 shall divide the county into election precincts and establish the  
9 boundaries of the precincts. The auditor of each county may propose  
10 in writing any adjustment to the division of election precincts or  
11 precinct boundaries to the county legislative authority at least  
12 forty-five days prior to the date found in subsection (2) of this  
13 section. The county legislative authority must hold a public hearing  
14 on the auditor's proposed changes within forty-five days. If the  
15 county legislative authority does not formally reject or adopt a  
16 modification to the auditor's proposed changes within forty-five  
17 days, the proposal is adopted.

18 ~~((1))~~ (2) Precinct boundaries may be altered at any time as  
19 long as sufficient time exists prior to a given election for the  
20 necessary procedural steps to be honored. Except as permitted under  
21 subsection ~~((3))~~ (4) of this section, no precinct changes may be

1 made during the period starting (~~fourteen~~) seven days prior to the  
2 first day for candidates to file for the primary election and ending  
3 with the day of the general election.

4 (~~(2)~~) (3) The (~~county legislative authority may establish by~~  
5 ~~ordinance a limitation on the~~) maximum number of active registered  
6 voters in each precinct (~~within its jurisdiction. The number~~) may  
7 be less than the number established by law, but in no case may the  
8 number exceed one thousand five hundred (~~active registered voters~~).

9 (~~(3)~~) (4) The county auditor shall temporarily adjust precinct  
10 boundaries when a city or town annexes unincorporated territory to  
11 the city or town, or whenever unincorporated territory is  
12 incorporated as a city or town. The adjustment must be made as soon  
13 as possible after the approval of the annexation or incorporation.  
14 The temporary adjustment must be limited to the minimum changes  
15 necessary to accommodate the addition of the territory to the city or  
16 town, or to establish the eligible voters within the boundaries of  
17 the new city or town, and remains in effect only until precinct  
18 boundary modifications reflecting the annexation or incorporation are  
19 formally adopted by the county legislative authority or modifications  
20 are adopted pursuant to subsection (1) of this section.

21 **Sec. 2.** RCW 29A.16.050 and 2003 c 111 s 405 are each amended to  
22 read as follows:

23 (1) Every voting precinct must be wholly within a single  
24 congressional district, a single legislative district, and a single  
25 district of a county legislative authority (~~(, and, if applicable, a~~  
26 ~~single city)~~). Every voting precinct must be either wholly outside of  
27 any city or town, or wholly within a single city or town and, where  
28 applicable, a single council district or ward of that city or town.

29 (2) Every voting precinct shall be composed, as nearly as  
30 practicable, of contiguous and compact areas. Subject to the  
31 restrictions on precinct boundaries in subsection (1) of this section  
32 and the maximum registered voter count established in RCW  
33 29A.16.040(3), the requirement for contiguity may be suspended in the  
34 case of (a) an unincorporated area entirely surrounded by  
35 incorporated territory, and (b) incorporated areas that are  
36 geographically separated from the remainder of the city or town of  
37 which they are a part.

38 (3) (~~Except as provided in this subsection, changes to the~~  
39 ~~boundaries of any~~) Precinct (~~shall~~) boundaries must preferentially

1 follow local jurisdictional and electoral district boundaries and  
2 visible, physical features (~~delineated on the most current maps~~  
3 ~~provided by the United States census bureau. A change need not follow~~  
4 ~~such visible, physical features if (a) it is necessitated by an~~  
5 ~~annexation or incorporation and the proposed precinct boundary is~~  
6 ~~identical to an exterior boundary of the annexed or incorporated area~~  
7 ~~which does not follow a visible, physical feature; or (b) doing so~~  
8 ~~would substantially impair election administration in the involved~~  
9 ~~area)).~~

10 (4) (~~After a change to precinct boundaries is adopted by the~~  
11 ~~county legislative authority, if the change does not follow visible~~  
12 ~~physical features, the county auditor shall send to the secretary of~~  
13 ~~state an electronic or paper copy of the description, a map or maps~~  
14 ~~of the changes, and a statement of the applicable exception under~~  
15 ~~subsection (3) of this section. For boundary changes made pursuant to~~  
16 ~~subsection (3)(b) of this section, the auditor shall include a~~  
17 ~~statement of the reasons why following visible, physical features~~  
18 ~~would have substantially impaired election administration.~~

19 ~~(5))~~ Every voting precinct within each county shall be  
20 designated by number for the purpose of preparation of maps and the  
21 tabulation of population for apportionment purposes. These precincts  
22 may be identified with names or other numbers for other election  
23 purposes.

24 (~~(6) After a change to precinct boundaries in a city or town,~~  
25 ~~the county auditor shall send one copy of the map or maps delineating~~  
26 ~~the new precinct boundaries within that city or town to the city or~~  
27 ~~town clerk.~~

28 ~~(7))~~ (5) Precinct maps are public records and shall be available  
29 for inspection by the public during normal office hours in the  
30 offices where they are kept. Copies shall be made available to the  
31 public for a fee necessary to cover the cost of reproduction.

--- END ---