

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2044**

Chapter 138, Laws of 2019

66th Legislature  
2019 Regular Session

PARK AND RECREATION DISTRICTS AND METROPOLITAN PARK DISTRICTS--  
DEANNEXATION

EFFECTIVE DATE: July 28, 2019

Passed by the House March 4, 2019  
Yeas 96 Nays 0

FRANK CHOPP

**Speaker of the House of Representatives**

Passed by the Senate April 12, 2019  
Yeas 39 Nays 2

CYRUS HABIB

**President of the Senate**

Approved April 24, 2019 2:46 PM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2044** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

**Chief Clerk**

FILED

April 25, 2019

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2044**

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Passed Legislature - 2019 Regular Session

**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** House Local Government (originally sponsored by Representatives Senn, Peterson, Pollet, Callan, and Thai)

READ FIRST TIME 02/22/19.

1           AN ACT Relating to the deannexation of a portion of land from a  
2 park and recreation district or metropolitan park district; amending  
3 RCW 36.69.310 and 35.61.310; adding a new section to chapter 36.69  
4 RCW; and adding a new section to chapter 35.61 RCW.

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

6           **Sec. 1.** RCW 36.69.310 and 2005 c 226 s 3 are each amended to  
7 read as follows:

8           (1)(a) Any park and recreation district formed under the  
9 provisions of this chapter may be dissolved in its entirety in the  
10 manner provided in chapter 53.48 RCW, relating to port districts.

11           (b) In order to facilitate the dissolution of a park and  
12 recreation district, such a district may declare its intent to  
13 dissolve and may name a successor taxing district. It may transfer  
14 any lands, facilities, equipment, other interests in real or personal  
15 property, or interests under contracts, leases, or similar agreements  
16 to the successor district, and may take all action necessary to  
17 enable the successor district to assume any indebtedness of the park  
18 and recreation district relating to the transferred property and  
19 interests.

1       (2) A portion of land may be deannexed and withdrawn from a park  
2 and recreation district formed under the provisions of this chapter  
3 pursuant to section 2 of this act.

4       NEW SECTION.   **Sec. 2.**   A new section is added to chapter 36.69  
5 RCW to read as follows:

6       (1) As provided in this section, a city, town, or county may  
7 withdraw that portion of the city, town, or county from a park and  
8 recreation district that was formed under this chapter when:

9       (a) The governing body of a district, which is part of the  
10 district, adopts a resolution and findings of fact supporting the  
11 deannexation of that portion of the city, town, or county, which is  
12 part of the district; and the governing body of a city, town, or  
13 county, which is part of the district, adopts a resolution and  
14 findings of fact supporting the deannexation of that portion of the  
15 city, town, or county, which is part of the district;

16       (b) Ten percent of the voters of such city or county who voted at  
17 the last general election petition the governing officials for such a  
18 vote; or

19       (c) A district located in a county with a population of two  
20 hundred ten thousand or more has not actively carried out any of the  
21 special purposes or functions for which it was formed within the  
22 preceding consecutive five-year period, in accordance with chapter  
23 57.90 RCW.

24       (2)(a) After adoption of the resolution approving the  
25 deannexation, receipt of a valid petition signed by the requisite  
26 number of registered voters, or determination that the district has  
27 been inactive in accordance with chapter 57.90 RCW, the governing  
28 body of the city, town, or county, which is part of the district,  
29 must draft a ballot title, give notice as required by law for ballot  
30 measures, and perform other duties as required to put the measure  
31 approving or not approving the deannexation before the voters of the  
32 city, town, or county, which is part of the district.

33       (b) The ballot proposition authorizing the deannexation from a  
34 proposed park and recreation district must be submitted to the voters  
35 of the district for their approval or rejection at the next general  
36 election. The ballot measure is approved if greater than fifty  
37 percent of the total persons voting on the ballot measure vote to  
38 approve the deannexation.

1 (3) The resolution under subsection (1) of this section and the  
2 ballot under subsection (2) of this section must set forth the  
3 specific land boundaries being deannexed from the district.

4 (4) A deannexation under this section is effective at the end of  
5 the day on the thirty-first day of December in the year in which the  
6 ballot measure under subsection (2) of this section is approved.

7 (5) The withdrawal of an area from the boundaries of a park and  
8 recreation district does not exempt any property therein from  
9 taxation for the purpose of paying the costs of redeeming any  
10 indebtedness of the park and recreation district existing at the time  
11 of the withdrawal.

12 (6) (a) An area that has been withdrawn from the boundaries of a  
13 park and recreation district under this section may be reannexed into  
14 the park and recreation district upon:

15 (i) Adoption of a resolution by the governing body proposing the  
16 reannexation; and

17 (ii) Adoption of a resolution by the park and recreation district  
18 approving the reannexation.

19 (b) The reannexation is effective at the end of the day on the  
20 thirty-first day of December in the year in which the adoption of the  
21 second resolution occurs, but for purposes of establishing boundaries  
22 for property tax purposes, the boundaries are established immediately  
23 upon the adoption of the second resolution.

24 (c) Referendum action on the proposed reannexation may be taken  
25 by the voters of the area proposed to be reannexed if a petition  
26 calling for a referendum is filed with the park and recreation  
27 district, within a thirty-day period after the adoption of the second  
28 resolution, which petition has been signed by registered voters of  
29 the area proposed to be reannexed equal in number to ten percent of  
30 the total number of the registered voters residing in that area.

31 (d) If a valid petition signed by the requisite number of  
32 registered voters has been so filed, the effect of the resolutions  
33 must be held in abeyance and a ballot proposition to authorize the  
34 reannexation must be submitted to the voters of the area at the next  
35 special election date according to RCW 29A.04.330. Approval of the  
36 ballot proposition authorizing the reannexation by a simple majority  
37 vote authorizes the reannexation.

38 (7) For purposes of this section, "deannex" means to withdraw a  
39 specified portion of land from a park and recreation district formed  
40 under this chapter.

1       **Sec. 3.** RCW 35.61.310 and 1965 c 7 s 35.61.310 are each amended  
2 to read as follows:

3       A board of commissioners of a metropolitan park district may,  
4 upon a majority vote of all its members, dissolve in its entirety any  
5 metropolitan park district, prorate the liabilities thereof, and turn  
6 over to the city and/or county so much of the district as is  
7 respectively located therein, when:

8       (1) Such city and/or county, through its governing officials,  
9 agrees to, and petitions for, such dissolution and the assumption of  
10 such assets and liabilities ~~(( $\tau$ ))~~; or ~~(( $\tau$ ))~~

11       (2) Ten percent of the voters of such city and/or county who  
12 voted at the last general election petition the governing officials  
13 for such a vote.

14       NEW SECTION.   **Sec. 4.** A new section is added to chapter 35.61  
15 RCW to read as follows:

16       (1) As provided in this section, a city, town, or county may  
17 withdraw that portion of the city, town, or county from a  
18 metropolitan park district that was formed under this chapter when:

19       (a) The governing body of a district, which is part of the  
20 district, adopts a resolution and findings of fact supporting the  
21 deannexation of that portion of the city, town, or county, which is  
22 part of the district; and the governing body of a city, town, or  
23 county, which is part of the district, adopts a resolution and  
24 findings of fact supporting the deannexation of that portion of the  
25 city, town, or county, which is part of the district;

26       (b) Ten percent of the voters of such city or county who voted at  
27 the last general election petition the governing officials for such a  
28 vote; or

29       (c) A district located in a county with a population of two  
30 hundred ten thousand or more has not actively carried out any of the  
31 special purposes or functions for which it was formed within the  
32 preceding consecutive five-year period.

33       (2)(a) After adoption of the resolution approving the  
34 deannexation, receipt of a valid petition signed by the requisite  
35 number of registered voters, or determination that the district has  
36 been inactive, the governing body of the city, town, or county, which  
37 is part of the district, must draft a ballot title, give notice as  
38 required by law for ballot measures, and perform other duties as  
39 required to put the measure approving or not approving the

1 deannexation before the voters of the city, town, or county, which is  
2 part of the district.

3 (b) The ballot proposition authorizing the deannexation from a  
4 proposed metropolitan park district must be submitted to the voters  
5 of the district for their approval or rejection at the next general  
6 election. The ballot measure is approved if greater than fifty  
7 percent of the total persons voting on the ballot measure vote to  
8 approve the deannexation.

9 (3) The resolution under subsection (1) of this section and the  
10 ballot under subsection (2) of this section must set forth the  
11 specific land boundaries being deannexed from the district.

12 (4) A deannexation under this section is effective at the end of  
13 the day on the thirty-first day of December in the year in which the  
14 ballot measure under subsection (2) of this section is approved.

15 (5) The withdrawal of an area from the boundaries of a  
16 metropolitan park district does not exempt any property therein from  
17 taxation for the purpose of paying the costs of redeeming any  
18 indebtedness of the metropolitan park district existing at the time  
19 of the withdrawal.

20 (6) (a) An area that has been withdrawn from the boundaries of a  
21 metropolitan park district under this section may be reannexed into  
22 the metropolitan park district upon:

23 (i) Adoption of a resolution by the governing body proposing the  
24 reannexation; and

25 (ii) Adoption of a resolution by the metropolitan park district  
26 approving the reannexation.

27 (b) The reannexation is effective at the end of the day on the  
28 thirty-first day of December in the year in which the adoption of the  
29 second resolution occurs, but for purposes of establishing boundaries  
30 for property tax purposes, the boundaries are established immediately  
31 upon the adoption of the second resolution.

32 (c) Referendum action on the proposed reannexation may be taken  
33 by the voters of the area proposed to be reannexed if a petition  
34 calling for a referendum is filed with the metropolitan park  
35 district, within a thirty-day period after the adoption of the second  
36 resolution, which petition has been signed by registered voters of  
37 the area proposed to be reannexed equal in number to ten percent of  
38 the total number of the registered voters residing in that area.

39 (d) If a valid petition signed by the requisite number of  
40 registered voters has been so filed, the effect of the resolutions

1 must be held in abeyance and a ballot proposition to authorize the  
2 reannexation must be submitted to the voters of the area at the next  
3 special election date according to RCW 29A.04.330. Approval of the  
4 ballot proposition authorizing the reannexation by a simple majority  
5 vote authorizes the reannexation.

6 (7) For purposes of this section, "deannex" means to withdraw a  
7 specified portion of land from a metropolitan park district formed  
8 under this chapter.

Passed by the House March 4, 2019.

Passed by the Senate April 12, 2019.

Approved by the Governor April 24, 2019.

Filed in Office of Secretary of State April 25, 2019.

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