

# **COUNTY, MUNICIPAL CORPORATION AND SPECIAL PURPOSE DISTRICT REDISTRICTING UPON FEDERAL CENSUS – STATUTORY OUTLINE**

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## **I. COUNTY COMMISSIONER DISTRICTS – GENERALLY**

### **A. Three Equal, Compact Districts Required**

The board of county commissioners of each county must divide its county into three commissioner districts so that each district comprises as nearly as possible one-third of the population of the county. The territory comprised in any voting precincts of such districts must remain compact and cannot be divided by the lines of the districts. RCW 36.32.020.

However, the commissioners of any county composed entirely of islands and with a population of less than thirty-five thousand may divide their county into three commissioner districts without regard to population, except that if any single island is included in more than one district, the districts on such island must comprise, as nearly as possible, equal populations. RCW 36.32.020.

### **B. Change Frequency; District Number Designation**

The lines of the districts cannot be changed more frequently than once in four years and only when a full board of commissioners is present. The districts must be designated as districts numbered one, two and three. RCW 36.32.020.

## **II. COMMUNICATION OF BOUNDARY INFORMATION TO COUNTY AUDITOR**

### **A. Generally**

The legislative authority of each county and each city, town and special purpose district that lies entirely within the county must provide the county auditor accurate information describing its geographical boundaries and the boundaries of its director, council or commissioner districts and must ensure that the information provided to the auditor is kept current. RCW 29A.76.020(1).

## **B. Municipal Corporation Lying in More Than One County**

A city, town or special purpose district that lies in more than one county must provide the Secretary of State accurate information describing its geographical boundaries and the boundaries of its director, council or commissioner districts and must ensure that the information provided to the Secretary is kept current. The Secretary of State must promptly transmit to each county in which a city, town, or special purpose district is located information regarding the boundaries of that jurisdiction that is provided to the Secretary. RCW 29A.76.020(2).

## **III. REDISTRICTING UPON MOST RECENT FEDERAL DECENNIAL CENSUS**

### **A. Requirement to Redistrict Upon Most Recent Federal Decennial Census**

It is the responsibility of each county, municipal corporation and special purpose district with a governing body comprised of internal director, council or commissioner districts not based on statutorily required land ownership criteria to periodically redistrict its governmental unit, based on population information from the most recent federal decennial census. RCW 29A.76.010(1).

### **B. Commission Forwarding of Federal Decennial Census Information**

Within 45 days after the Washington State Redistricting Commission receives the federal decennial census information applicable to a specific local area, the Commission must forward the census information to each municipal corporation, county and district charged with redistricting. RCW 29A.76.010(2).

### **C. Plan Preparation**

Within eight months after it receives the federal decennial census data, the governing body of the municipal corporation, county or district must prepare a plan for redistricting its internal or director districts. RCW 29A.76.010(3).

The redistricting plan must be consistent with the following criteria:

- Each internal director, council or commissioner district must be as nearly equal in population as possible to every other such district comprising the municipal corporation, county or special purpose district
- Each district must be as compact as possible
- Each district must consist of geographically contiguous area
- Population data may not be used for purposes of favoring or disfavoring any racial group or political party

- To the extent feasible and if not inconsistent with the basic enabling legislation for the municipal corporation, county or district, the district boundaries must coincide with existing recognized natural boundaries and must, to the extent possible, preserve existing communities of related and mutual interest

RCW 29A.76.010(4).

#### **D. Public Notice and Hearing**

During the adoption of its plan, the municipal corporation, county or district must ensure that full and reasonable public notice of its actions is provided. The municipal corporation, county or district must hold at least one public hearing on the redistricting plan at least one week before adoption of the plan. RCW 29A.76.010(5).

#### **E. Superior Court Review Upon Registered Voter Request**

Any registered voter residing in an area affected by the redistricting plan may request review of the adopted local plan by the superior court of the county in which he or she resides, within 45 days of the plan's adoption. Any request for review must specify the reason or reasons alleged why the local plan is not consistent with the applicable redistricting criteria. The municipal corporation, county or district may be joined as respondent. The superior court must thereupon review the challenged plan for compliance with the applicable redistricting criteria set out in RCW 29A.76.010(4). RCW 29A.76.010(6)(a).

If the superior court finds the plan to be consistent with the requirements of RCW 29A.76.010, the plan will take effect immediately. If the superior court determines the plan does not meet the requirements, in whole or in part, it must remand the plan for further or corrective action within a specified and reasonable time period. RCW 29A.76.010(6)(b)-(c).

If the superior court finds that any request for review is frivolous or has been filed solely for purposes of harassment or delay, it may impose appropriate sanctions on the party requesting review, including payment of attorneys' fees and costs to the respondent municipal corporation, county or district. RCW 29A.76.010(6)(d).