



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19308

Proposed No. 2021-0185.3

Sponsors Balducci

1 AN ORDINANCE proposing an amendment to the King
 2 County Charter to update the charter, clarify terms and
 3 bring the charter into compliance with state law, as it
 4 pertains to referendum, initiative and charter ballot measure
 5 timelines; amending Sections 230.40, 230.50, 230.50.10,
 6 230.60, 230.70, 230.75 and 800 of the King County
 7 Charter; and submitting the same to the voters of the county
 8 for their ratification or rejection at the November 2, 2021,
 9 general election.

10 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

11 SECTION 1. There shall be submitted to the qualified voters of King County for
 12 their approval and ratification or rejection, at a special election to be held in conjunction
 13 with the November 2, 2021, general election, amendments to sections 230.40, 230.50,
 14 230.50.10, 230.60, 230.70, 230.75 and 800 of the King County Charter, to read as
 15 follows:

16 **230.40 Referendum.**

17 Except as provided herein, an enacted ordinance may be subjected to a referendum
 18 by the voters of the county (~~by filing with the county council prior to the effective date of~~
 19 ~~the ordinance~~) if a proposed referendum petition is submitted as provided in Section

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20 230.70 of this charter and then no later than forty-five days after enactment of the
21 ordinance petitions are filed with the clerk of the county council bearing signatures of
22 registered voters of the county equal in number to not less than eight percent of the votes
23 cast in the county for the office of county executive at the last preceding election for county
24 executive. In addition, except as provided herein, an enacted ordinance which pursuant to
25 state law is effective only in unincorporated areas of the county may be subjected to a
26 referendum by the voters of the unincorporated areas of the county (~~by filing with the~~
27 ~~county council prior to the effective date of the ordinance~~) if a proposed referendum
28 petition is submitted as provided in Section 230.70 of this charter and then no later than
29 forty-five days after enactment of the ordinance petitions are filed with the clerk of the
30 county council bearing signatures of registered voters residing in unincorporated areas of
31 the county equal in number to not less than eight percent of the votes cast at the last
32 preceding election for county executive, provided however that the number of required
33 signatures shall be calculated based only upon votes cast within areas which on the date
34 such petitions are required to be filed are unincorporated areas of the county. Each petition
35 shall contain the full text of the ordinance to be referred. (~~The ordinance to be referred~~
36 ~~shall be placed on the ballot at the special or general election occurring more than forty-five~~
37 ~~days after the petitions are filed, provided that~~) Following the verification of sufficient
38 petition signatures and in accordance with state law deadlines for calling an election, the
39 county council shall call for an election to submit the referred ordinance to the voters for
40 approval or rejection at the next available election date specified in state law, in the case
41 of an ordinance effective only in unincorporated areas of the county, the proposed
42 ordinance shall be voted upon only by the registered voters residing in unincorporated areas

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43 of the county.

44 An appropriation ordinance; an emergency ordinance (~~(necessary for the immediate~~
45 ~~preservation of the public peace, health or safety or for the support of county government~~
46 ~~and its existing public institutions)) as specified in Section 230.30 of this charter; an
47 ordinance proposing amendments to this charter; an ordinance providing for collective
48 bargaining; an ordinance approving a collective bargaining agreement; an ordinance
49 providing for the compensation or working conditions of county employees; or an
50 ordinance which has been approved by the voters by referendum or initiative shall not be
51 subject to a referendum.~~

52 **230.50 Initiative**

53 Ordinances, except ordinances providing for the compensation or working
54 conditions of county employees, may be proposed by filing with the county council
55 petitions bearing signatures of registered voters of the county equal in number to not less
56 than ten percent of the votes cast in the county for the office of county executive at the last
57 preceding election for county executive. In addition, an ordinance which pursuant to state
58 law is effective only in unincorporated areas of the county, except an ordinance providing
59 for the compensation or working conditions of county employees, may be proposed by
60 filing with the county council petitions bearing signatures of registered voters residing in
61 unincorporated areas of the county equal in number to not less than ten percent of the votes
62 cast at the last preceding election for county executive, provided, however that the number
63 of required signatures shall be calculated based only upon votes cast within areas which on
64 the date such petitions are required to be filed are unincorporated areas of the county. Each
65 petition shall contain the full text of the proposed ordinance.

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66 The form of a proposed ordinance petition must be submitted in accordance with
67 Section 230.60 of this charter to the clerk of the council. Once the form is approved, if
68 within ninety days the required signatures of registered voters are filed with the clerk of
69 council, then the county council shall consider the proposed ordinance. If the proposed
70 ordinance is not enacted within ninety days ((after)) of the date the signed petitions are
71 ((presented)) filed, ((it shall be placed)) the county council shall, in compliance with state
72 law timelines for placing local measures on the ballot, place the proposed ordinance on the
73 ballot either at the next ((regular or special)) general election ((occurring more than one
74 hundred thirty five days after the petitions are filed)) or at an earlier election designated by
75 the county council. ((However, if the proposed ordinance is enacted at any time prior to the
76 election, it shall not be placed on the ballot or be voted on unless it is subjected to
77 referendum.))

78 If the county council rejects the proposed ordinance and adopts a substitute
79 ordinance concerning the same subject matter, the substitute ordinance shall be placed on
80 the same ballot with the proposed ordinance; and the voters shall first be given the choice
81 of accepting either or rejecting both and shall then be given the choice of accepting one and
82 rejecting the other, provided that in the case of an ordinance effective only in
83 unincorporated areas of the county, the proposed ordinance shall be voted upon only by the
84 registered voters residing in unincorporated areas of the county. If a majority of the voters
85 voting on the first issue is for either, then the ordinance receiving the majority of the votes
86 cast on the second issue shall be deemed approved. If a majority of those voting on the
87 first issue is for rejecting both, then neither ordinance shall be approved regardless of the
88 vote on the second issue.

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89 230.50.10 Institutional Initiative.

90 Any city or town located within the county may, after securing the consent, by
91 motion or resolution, of at least one half of the cities within the county, propose an
92 ordinance of county-wide significance directly to the metropolitan county council, except
93 an ordinance which is not subject to a referendum under the provisions of Section 230.40
94 of this charter. Such proposed legislation shall be in ordinance form. The metropolitan
95 county council shall ~~((take action on))~~ approve, amend and approve, or reject such
96 proposed legislation within ninety ~~((90))~~ days of its filing with the county council.

97 230.60 Referendum and Initiative Petitions.

98 The county council shall establish by ordinance the form to be used for referendum
99 and initiative petitions. All referendum and initiative petitions shall be sponsored by an
100 individual or committee of individuals, which shall secure the approval of the clerk of the
101 county council as to the form of the proposed petitions before circulating them. Within five
102 days after the form of the proposed petitions is submitted to the clerk of the county council,
103 the clerk shall return it to the sponsor with an indication of the clerk's approval or with a
104 detailed written explanation of the clerk's objection to the form.

105 230.70 Effective Date of Ordinances.

106 Except as provided herein, the effective date of an ordinance shall be ten days after
107 its enactment unless a later date is specified in the ordinance. If an ordinance may be
108 subjected to a referendum as provided in Section 230.40 of this charter and ~~((if a))~~ the
109 proposed referendum petition is submitted to the clerk of the county council as provided in
110 ~~((Subsection))~~ Section 230.60 of this charter prior to the tenth day after its enactment, ~~((the~~
111 ~~effective date of the ordinance shall be forty five days after its enactment unless a later date~~

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112 ~~is specified in the ordinance. If an ordinance is subjected to referendum, it))~~ and if the
113 department of elections director notifies the clerk of the council in writing that the number
114 of petition signatures is sufficient to proceed to referendum, the ordinance shall not become
115 effective until after it is approved by the voters. If it is approved by a majority of the voters
116 voting on the issue, the effective date of an ordinance which is subjected to referendum or
117 proposed by initiative, or a substitute ordinance proposed by the county council as provided
118 in ~~((Subsection))~~ Section 230.50 of this charter, shall be ten days after the results of the
119 election are certified unless a later date is specified in the ordinance. The effective date of
120 an ordinance no longer subject to referendum is the date the department of elections
121 director notifies the clerk of the council in writing that the number of petition signatures is
122 insufficient to proceed to referendum, unless a later date is specified in the ordinance. A
123 determination of the sufficiency or insufficiency of the required number of petition
124 signatures for a referendum should be completed within ninety days of the enactment of the
125 ordinance. The effective date of an emergency ordinance shall be the date of its enactment
126 unless a later date is specified in the ordinance.

127 An ordinance which is subject to the veto power of the county executive and which
128 is not vetoed, or the approved portions of an appropriation ordinance which has been
129 partially vetoed, shall be deemed enacted on the date that it is approved by, or ten days after
130 it is presented to, the county executive. An ordinance which is vetoed or the vetoed
131 portions of an appropriation ordinance shall be deemed enacted on the date that the county
132 council overrides the veto or partial veto. An ordinance which is not subject to the veto
133 power of the county executive shall be deemed enacted on the date it is approved by the
134 county council.

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135 **230.75 Amendment or Repeal of Ordinances Approved by the Voters.**

136 No ordinance that is approved by the county council in response to the filing of an
137 initiative petition or that is approved by a majority of the voters voting thereon, whether as
138 the result of a referendum or initiative, shall be amended or repealed by the county council
139 within a period of two years following the effective date of such ordinance; provided that
140 such ordinance may be amended within the two-year period by ordinance adopted by a vote
141 of not less than two-thirds of all members of the county council, which amendatory
142 ordinance shall not be subject to referendum.

143 An ordinance approved by the county council in response to the filing of an
144 initiative petition or by the voters may be amended or repealed by an ordinance approved
145 by a majority of the voters voting thereon at any special or general election. Ordinances
146 may be enacted to facilitate and effectuate this provision.

147 **Section 800 Charter Review and Amendments.**

148 At least every ten years after the adoption of this charter, the county executive shall
149 appoint a resident commission of not less than fifteen members whose mandate shall be to
150 review the charter and present, or cause to be presented, to the county council a written
151 report recommending those amendments, if any, which should be made to the charter.

152 Appointees shall be subject to confirmation by a majority of the county council. This
153 resident commission shall be composed of at least one representative from each of the
154 county council districts. The county council shall consider the commission's report and
155 recommendations and decide at an open public meeting how to proceed on each of the
156 commission's recommended charter amendments, as provided by ordinance.

157 The county council may propose amendments to this charter by enacting an

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158 ordinance to submit a proposed amendment to the voters of the county. The county council
159 shall comply with state law timelines for placing local measures on the ballot and shall
160 place the proposed amendments on the ballot at the next general election (~~(occurring more~~
161 ~~than forty five days after the enactment of the ordinance)~~). An ordinance proposing an
162 amendment to the charter shall not be subject to the veto power of the county executive.
163 Publication of a proposed amendment and notice of its submission to the voters of the
164 county shall be made in accordance with the state constitution and general law. If the
165 proposed amendment is approved by a majority of the voters voting on the issue, it shall
166 become effective ten days after the results of the election are certified unless a later date is
167 specified in the amendment.

168 SECTION 2. The clerk of the council shall certify the proposition to the director
169 of elections, in substantially the following form, with such additions, deletions or
170 modifications as may be required by the prosecuting attorney:

171 Shall the King County Charter be amended to comply with state law as it
172 pertains to initiative, referendum and charter ballot measure timelines, and

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173 to clarify definitions and terms related to the referendum and initiative
174 process?
175

Ordinance 19308 was introduced on 5/11/2021 and passed as amended by the Metropolitan King County Council on 6/22/2021, by the following vote:

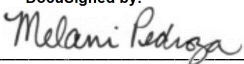
Yes: 9 - Ms. Balducci, Mr. Dembowski, Mr. Dunn, Ms. Kohl-Welles, Ms. Lambert, Mr. McDermott, Mr. Upthegrove, Mr. von Reichbauer and Mr. Zahilay

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


DocuSigned by:

7E1C273CE9994B6...
Claudia Balducci, Chair

ATTEST:

DocuSigned by:

8DE1BB375AD3422...
Melani Pedroza, Clerk of the Council

APPROVED this _____ day of 7/2/2021, _____.

DocuSigned by:

4FBCAB8196AE4C6...
Dow Constantine, County Executive

Attachments: None