
HOUSE BILL 2428

State of Washington 63rd Legislature 2014 Regular Session

By Representatives Hunt, Ryu, and Fitzgibbon

Read first time 01/17/14. Referred to Committee on Finance.

1 AN ACT Relating to authorizations of proposals for emergency
2 medical care and service levies; and amending RCW 84.52.069.

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

4 **Sec. 1.** RCW 84.52.069 and 2012 c 115 s 1 are each amended to read
5 as follows:

6 (1) As used in this section, "taxing district" means a county,
7 emergency medical service district, city or town, public hospital
8 district, urban emergency medical service district, regional fire
9 protection service authority, or fire protection district.

10 (2) Except as provided in subsection (10) of this section, a taxing
11 district may impose additional regular property tax levies in an amount
12 equal to fifty cents or less per thousand dollars of the assessed value
13 of property in the taxing district. The tax is imposed (a) each year
14 for six consecutive years, (b) each year for ten consecutive years, or
15 (c) permanently. A permanent tax levy under this section, or the
16 initial imposition of a six-year or ten-year levy under this section,
17 must be specifically authorized by a majority of at least three-fifths
18 of the registered voters thereof approving a proposition authorizing
19 the levies submitted at a general or special election, at which

1 election the number of persons voting "yes" on the proposition
2 (~~shall~~) must constitute three-fifths of a number equal to forty
3 percent of the total number of voters voting in such taxing district at
4 the last preceding general election when the number of registered
5 voters voting on the proposition does not exceed forty percent of the
6 total number of voters voting in such taxing district in the last
7 preceding general election; or by a majority of at least three-fifths
8 of the registered voters thereof voting on the proposition when the
9 number of registered voters voting on the proposition exceeds forty
10 percent of the total number of voters voting in such taxing district in
11 the last preceding general election. The uninterrupted continuation of
12 a six-year or ten-year tax levy under this section, or the reimposition
13 of a six-year or ten-year tax levy at a rate lower than the previous
14 rate, must be specifically authorized by a majority of the registered
15 voters thereof approving a proposition authorizing the levies submitted
16 at a general or special election. Ballot propositions must conform
17 with RCW 29A.36.210. A taxing district may not submit to the voters at
18 the same election multiple propositions to impose a levy under this
19 section.

20 (3) A taxing district imposing a permanent levy under this section
21 (~~shall~~) must provide for separate accounting of expenditures of the
22 revenues generated by the levy. The taxing district must maintain a
23 statement of the accounting which must be updated at least every two
24 years and must be available to the public upon request at no charge.

25 (4)(a) A taxing district imposing a permanent levy under this
26 section must provide for a referendum procedure to apply to the
27 ordinance or resolution imposing the tax. This referendum procedure
28 must specify that a referendum petition may be filed at any time with
29 a filing officer, as identified in the ordinance or resolution. Within
30 ten days, the filing officer must confer with the petitioner concerning
31 form and style of the petition, issue the petition an identification
32 number, and secure an accurate, concise, and positive ballot title from
33 the designated local official. The petitioner has thirty days in which
34 to secure the signatures of not less than fifteen percent of the
35 registered voters of the taxing district, as of the last general
36 election, upon petition forms which contain the ballot title and the
37 full text of the measure to be referred. The filing officer must
38 verify the sufficiency of the signatures on the petition and, if

1 sufficient valid signatures are properly submitted, must certify the
2 referendum measure to the next election within the taxing district if
3 one is to be held within one hundred eighty days from the date of
4 filing of the referendum petition, or at a special election to be
5 called for that purpose in accordance with RCW 29A.04.330.

6 (b) The referendum procedure provided in this subsection (4) is
7 exclusive in all instances for any taxing district imposing the tax
8 under this section and supersedes the procedures provided under all
9 other statutory or charter provisions for initiative or referendum
10 which might otherwise apply.

11 (5) Any tax imposed under this section may be used only for the
12 provision of emergency medical care or emergency medical services,
13 including related personnel costs, training for such personnel, and
14 related equipment, supplies, vehicles and structures needed for the
15 provision of emergency medical care or emergency medical services.

16 (6) If a county levies a tax under this section, no taxing district
17 within the county may levy a tax under this section. If a regional
18 fire protection service authority imposes a tax under this section, no
19 other taxing district that is a participating fire protection
20 jurisdiction in the regional fire protection service authority may levy
21 a tax under this section. No other taxing district may levy a tax
22 under this section if another taxing district has levied a tax under
23 this section within its boundaries: PROVIDED, That if a county levies
24 less than fifty cents per thousand dollars of the assessed value of
25 property, then any other taxing district may levy a tax under this
26 section equal to the difference between the rate of the levy by the
27 county and fifty cents: PROVIDED FURTHER, That if a taxing district
28 within a county levies this tax, and the voters of the county
29 subsequently approve a levying of this tax, then the amount of the
30 taxing district levy within the county must be reduced, when the
31 combined levies exceed fifty cents. Whenever a tax is levied
32 countywide, the service must, insofar as is feasible, be provided
33 throughout the county: PROVIDED FURTHER, That no countywide levy
34 proposal may be placed on the ballot without the approval of the
35 legislative authority of ~~((each city exceeding fifty thousand
36 population within the county))~~ a majority of all taxing districts in
37 the county that both have a population exceeding fifty thousand within
38 the county and would receive funds from the levy proposed in accordance

1 with this section: AND PROVIDED FURTHER, That this section and RCW
2 36.32.480 shall not prohibit any city or town from levying an annual
3 excess levy to fund emergency medical services: AND PROVIDED, FURTHER,
4 That if a county proposes to impose tax levies under this section, no
5 other ballot proposition authorizing tax levies under this section by
6 another taxing district in the county may be placed before the voters
7 at the same election at which the county ballot proposition is placed:
8 AND PROVIDED FURTHER, That any taxing district emergency medical
9 service levy that is limited in duration and that is authorized
10 subsequent to a county emergency medical service levy that is limited
11 in duration, expires concurrently with the county emergency medical
12 service levy. A fire protection district that has annexed an area
13 described in subsection (10) of this section may levy the maximum
14 amount of tax that would otherwise be allowed, notwithstanding any
15 limitations in this subsection (6).

16 (7) The limitations in RCW 84.52.043 do not apply to the tax levy
17 authorized in this section.

18 (8) If a ballot proposition approved under subsection (2) of this
19 section did not impose the maximum allowable levy amount authorized for
20 the taxing district under this section, any future increase up to the
21 maximum allowable levy amount must be specifically authorized by the
22 voters in accordance with subsection (2) of this section at a general
23 or special election.

24 (9) The limitation in RCW 84.55.010 does not apply to the first
25 levy imposed pursuant to this section following the approval of such
26 levy by the voters pursuant to subsection (2) of this section.

27 (10) For purposes of imposing the tax authorized under this
28 section, the boundary of a county with a population greater than one
29 million five hundred thousand does not include all of the area of the
30 county that is located within a city that has a boundary in two
31 counties, if the locally assessed value of all the property in the area
32 of the city within the county having a population greater than one
33 million five hundred thousand is less than two hundred fifty million
34 dollars.

35 (11) For purposes of this section, the following definitions apply:

36 (a) "Fire protection jurisdiction" means a fire protection
37 district, city, town, Indian tribe, or port district; and

1 (b) "Participating fire protection jurisdiction" means a fire
2 protection district, city, town, Indian tribe, or port district that is
3 represented on the governing board of a regional fire protection
4 service authority.

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