

2 **HB 2496** - S COMM AMD

3 By Committee on State & Local Government

4 ADOPTED 03/08/02

5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 84.52.052 and 1996 c 230 s 1615 are each amended to
8 read as follows:

9 The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW
10 84.52.043 shall not prevent the levy of additional taxes by any taxing
11 district, except school districts and fire protection districts, in
12 which a larger levy is necessary in order to prevent the impairment of
13 the obligation of contracts. As used in this section, the term "taxing
14 district" means any county, metropolitan park district, park and
15 recreation service area, park and recreation district, water-sewer
16 district, solid waste disposal district, public facilities district,
17 flood control zone district, county rail district, service district,
18 public hospital district, road district, rural county library district,
19 island library district, rural partial-county library district,
20 intercounty rural library district, (~~fire protection district,~~)
21 cemetery district, city, town, transportation benefit district,
22 emergency medical service district with a population density of less
23 than one thousand per square mile, or cultural arts, stadium, and
24 convention district.

25 Any such taxing district may levy taxes at a rate in excess of the
26 rate specified in RCW 84.52.050 through 84.52.056 and 84.52.043, or
27 84.55.010 through 84.55.050, when authorized so to do by the voters of
28 such taxing district in the manner set forth in Article VII, section
29 2(a) of the Constitution of this state at a special or general election
30 to be held in the year in which the levy is made.

31 A special election may be called and the time therefor fixed by the
32 county legislative authority, or council, board of commissioners, or
33 other governing body of any such taxing district, by giving notice
34 thereof by publication in the manner provided by law for giving notices
35 of general elections, at which special election the proposition
36 authorizing such excess levy shall be submitted in such form as to

1 enable the voters favoring the proposition to vote "yes" and those
2 opposed thereto to vote "no."

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 84.52 RCW
4 to read as follows:

5 The limitations imposed by RCW 84.52.050 through 84.52.056, and
6 84.52.043 shall not prevent the levy of taxes by a fire protection
7 district, when authorized so to do by the voters of a fire protection
8 district in the manner and for the purposes and number of years
9 allowable under Article VII, section 2(a) of the Constitution of this
10 state. Elections for taxes shall be held in the year in which the levy
11 is made, or in the case of propositions authorizing two-year through
12 four-year levies for maintenance and operation support of a fire
13 district, or authorizing two-year through six-year levies to support
14 the construction, modernization, or remodeling of fire district
15 facilities, in the year in which the first annual levy is made. Once
16 additional tax levies have been authorized for maintenance and
17 operation support of a fire protection district for a two-year through
18 four-year period, no further additional tax levies for maintenance and
19 operation support of the district for that period may be authorized.

20 A special election may be called and the time fixed by the fire
21 protection district commissioners, by giving notice by publication in
22 the manner provided by law for giving notices of general elections, at
23 which special election the proposition authorizing the excess levy
24 shall be submitted in a form as to enable the voters favoring the
25 proposition to vote "yes" and those opposed to vote "no."

26 **Sec. 3.** RCW 52.16.130 and 1989 c 63 s 27 are each amended to read
27 as follows:

28 To carry out the purposes for which fire protection districts are
29 created, the board of fire commissioners of a district may levy each
30 year, in addition to the levy or levies provided in RCW 52.16.080 for
31 the payment of the principal and interest of any outstanding general
32 obligation bonds, an ad valorem tax on all taxable property located in
33 the district not to exceed fifty cents per thousand dollars of assessed
34 value: PROVIDED, That in no case may the total general levy for all
35 purposes, except the levy for the retirement of general obligation
36 bonds, exceed one dollar per thousand dollars of assessed value.
37 Levies in excess of one dollar per thousand dollars of assessed value

1 or in excess of the aggregate dollar rate limitations or both may be
2 made for any district purpose when so authorized at a special election
3 under ((RCW 84.52.052)) section 2 of this act. Any such tax when
4 levied shall be certified to the proper county officials for the
5 collection of the tax as for other general taxes. The taxes when
6 collected shall be placed in the appropriate district fund or funds as
7 provided by law, and shall be paid out on warrants of the auditor of
8 the county in which all, or the largest portion of, the district is
9 located, upon authorization of the board of fire commissioners of the
10 district.

11 NEW SECTION. **Sec. 4.** This act takes effect January 1, 2003, if
12 the proposed amendment to Article VII, section 2 of the state
13 Constitution authorizing multiyear excess property tax levies is
14 validly submitted to and approved by the voters at the next general
15 election. If the proposed amendment is not approved, this act is void
16 in its entirety."

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20 On page 1, line 1 of the title, after "taxes;" strike the remainder
21 of the title and insert "amending RCW 84.52.052 and 52.16.130; adding
22 a new section to chapter 84.52 RCW; and providing a contingent
23 effective date."

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