

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 2519**

Chapter 80, Laws of 2004

58th Legislature  
2004 Regular Session

PROPERTY TAX LEVIES--CRIMINAL JUSTICE

EFFECTIVE DATE: 7/1/04

Passed by the House March 9, 2004  
Yeas 87 Nays 6

FRANK CHOPP

**Speaker of the House of Representatives**

Passed by the Senate March 4, 2004  
Yeas 45 Nays 0

BRAD OWEN

**President of the Senate**

Approved March 22, 2004.

GARY F. LOCKE

**Governor of the State of Washington**

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2519** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

**Chief Clerk**

FILED

March 22, 2004 - 5:26 p.m.

**Secretary of State  
State of Washington**

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HOUSE BILL 2519

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AS AMENDED BY THE SENATE

Passed Legislature - 2004 Regular Session

State of Washington                      58th Legislature                      2004 Regular Session

By Representatives Hatfield, Blake, Crouse and Kagi

Read first time 01/15/2004. Referred to Committee on Finance.

1            AN ACT Relating to county property tax levies for criminal justice  
2 purposes; amending RCW 29A.36.210, 84.52.010, and 84.52.043; adding a  
3 new section to chapter 84.52 RCW; and providing an effective date.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 84.52 RCW  
6 to read as follows:

7            (1) A county with a population of ninety thousand or less may  
8 impose additional regular property tax levies in an amount equal to  
9 fifty cents or less per thousand dollars of the assessed value of  
10 property in the county in accordance with the terms of this section.

11            (2) The tax proposition may be submitted at a general or special  
12 election.

13            (3) The tax may be imposed each year for six consecutive years when  
14 specifically authorized by the registered voters voting on the  
15 proposition, subject to the following:

16            (a) If the number of registered voters voting on the proposition  
17 does not exceed forty percent of the total number of voters voting in  
18 the taxing district at the last general election, the number of persons

1 voting "yes" on the proposition shall constitute at least three-fifths  
2 of a number equal to forty percent of the total number of voters voting  
3 in the taxing district at the last general election.

4 (b) If the number of registered voters voting on the proposition  
5 exceeds forty percent of the total number of voters voting in the  
6 taxing district at the last preceding general election, the number of  
7 persons voting "yes" on the proposition shall be at least three-fifths  
8 of the registered voters voting on the proposition.

9 (4) Ballot propositions shall conform with RCW 29A.36.210.

10 (5) Any tax imposed under this section shall be used exclusively  
11 for criminal justice purposes.

12 (6) The limitations in RCW 84.52.043 do not apply to the tax  
13 authorized in this section.

14 (7) The limitation in RCW 84.55.010 does not apply to the first tax  
15 levy imposed pursuant to this section following the approval of the  
16 levy by the voters pursuant to subsection (3) of this section.

17 **Sec. 2.** RCW 29A.36.210 and 2003 c 111 s 921 are each amended to  
18 read as follows:

19 (1) The ballot proposition authorizing a taxing district to impose  
20 the regular property tax levies authorized in RCW 36.69.145, 67.38.130,  
21 (~~(or)~~) 84.52.069, or section 1 of this act shall contain in substance  
22 the following:

23 "Shall the . . . . . (insert the name of the taxing district) be  
24 authorized to impose regular property tax levies of . . . . . (insert  
25 the maximum rate) or less per thousand dollars of assessed valuation  
26 for each of . . . . . (insert the maximum number of years allowable)  
27 consecutive years?

28 Yes . . . . .

29 No . . . . .

30 Each voter shall indicate either "Yes" or "No" on his or her ballot  
31 in accordance with the procedures established under this title.

32 (2) The ballot proposition authorizing a taxing district to impose  
33 a permanent regular tax levy under RCW 84.52.069 shall contain the  
34 following:

35 "Shall the . . . . . (insert the name of the taxing district) be  
36 authorized to impose a PERMANENT regular property levy of . . . . .

1 (insert the maximum rate) or less per thousand dollars of assessed  
2 valuation?

3 Yes . . . . .

4 No . . . . .

5 **Sec. 3.** RCW 84.52.010 and 2003 c 83 s 310 are each amended to read  
6 as follows:

7 Except as is permitted under RCW 84.55.050, all taxes shall be  
8 levied or voted in specific amounts.

9 The rate percent of all taxes for state and county purposes, and  
10 purposes of taxing districts coextensive with the county, shall be  
11 determined, calculated and fixed by the county assessors of the  
12 respective counties, within the limitations provided by law, upon the  
13 assessed valuation of the property of the county, as shown by the  
14 completed tax rolls of the county, and the rate percent of all taxes  
15 levied for purposes of taxing districts within any county shall be  
16 determined, calculated and fixed by the county assessors of the  
17 respective counties, within the limitations provided by law, upon the  
18 assessed valuation of the property of the taxing districts  
19 respectively.

20 When a county assessor finds that the aggregate rate of tax levy on  
21 any property, that is subject to the limitations set forth in RCW  
22 84.52.043 or 84.52.050, exceeds the limitations provided in either of  
23 these sections, the assessor shall recompute and establish a  
24 consolidated levy in the following manner:

25 (1) The full certified rates of tax levy for state, county, county  
26 road district, and city or town purposes shall be extended on the tax  
27 rolls in amounts not exceeding the limitations established by law;  
28 however any state levy shall take precedence over all other levies and  
29 shall not be reduced for any purpose other than that required by RCW  
30 84.55.010. If, as a result of the levies imposed under section 1 of  
31 this act, RCW 36.54.130, 84.52.069, 84.34.230, the portion of the levy  
32 by a metropolitan park district that was protected under RCW 84.52.120,  
33 and 84.52.105, the combined rate of regular property tax levies that  
34 are subject to the one percent limitation exceeds one percent of the  
35 true and fair value of any property, then these levies shall be reduced  
36 as follows:

1       (a) The levy imposed by a county under section 1 of this act must  
2 be reduced until the combined rate no longer exceeds one percent of the  
3 true and fair value of any property or must be eliminated;

4       (b) If the combined rate of regular property tax levies that are  
5 subject to the one percent limitation still exceeds one percent of the  
6 true and fair value of any property, the levy imposed by a ferry  
7 district under RCW 36.54.130 must be reduced until the combined rate no  
8 longer exceeds one percent of the true and fair value of any property  
9 or must be eliminated;

10       (~~(b)~~) (c) If the combined rate of regular property tax levies  
11 that are subject to the one percent limitation still exceeds one  
12 percent of the true and fair value of any property, the portion of the  
13 levy by a metropolitan park district that is protected under RCW  
14 84.52.120 shall be reduced until the combined rate no longer exceeds  
15 one percent of the true and fair value of any property or shall be  
16 eliminated;

17       (~~(c)~~) (d) If the combined rate of regular property tax levies  
18 that are subject to the one percent limitation still exceeds one  
19 percent of the true and fair value of any property, then the levies  
20 imposed under RCW 84.34.230, 84.52.105, and any portion of the levy  
21 imposed under RCW 84.52.069 that is in excess of thirty cents per  
22 thousand dollars of assessed value, shall be reduced on a pro rata  
23 basis until the combined rate no longer exceeds one percent of the true  
24 and fair value of any property or shall be eliminated; and

25       (~~(d)~~) (e) If the combined rate of regular property tax levies  
26 that are subject to the one percent limitation still exceeds one  
27 percent of the true and fair value of any property, then the thirty  
28 cents per thousand dollars of assessed value of tax levy imposed under  
29 RCW 84.52.069 shall be reduced until the combined rate no longer  
30 exceeds one percent of the true and fair value of any property or  
31 eliminated.

32       (2) The certified rates of tax levy subject to these limitations by  
33 all junior taxing districts imposing taxes on such property shall be  
34 reduced or eliminated as follows to bring the consolidated levy of  
35 taxes on such property within the provisions of these limitations:

36       (a) First, the certified property tax levy rates of those junior  
37 taxing districts authorized under RCW 36.68.525, 36.69.145, 35.95A.100,  
38 and 67.38.130 shall be reduced on a pro rata basis or eliminated;

1 (b) Second, if the consolidated tax levy rate still exceeds these  
2 limitations, the certified property tax levy rates of flood control  
3 zone districts shall be reduced on a pro rata basis or eliminated;

4 (c) Third, if the consolidated tax levy rate still exceeds these  
5 limitations, the certified property tax levy rates of all other junior  
6 taxing districts, other than fire protection districts, library  
7 districts, the first fifty cent per thousand dollars of assessed  
8 valuation levies for metropolitan park districts, and the first fifty  
9 cent per thousand dollars of assessed valuation levies for public  
10 hospital districts, shall be reduced on a pro rata basis or eliminated;

11 (d) Fourth, if the consolidated tax levy rate still exceeds these  
12 limitations, the first fifty cent per thousand dollars of assessed  
13 valuation levies for metropolitan park districts created on or after  
14 January 1, 2002, shall be reduced on a pro rata basis or eliminated;

15 (e) Fifth, if the consolidated tax levy rate still exceeds these  
16 limitations, the certified property tax levy rates authorized to fire  
17 protection districts under RCW 52.16.140 and 52.16.160 shall be reduced  
18 on a pro rata basis or eliminated; and

19 (f) Sixth, if the consolidated tax levy rate still exceeds these  
20 limitations, the certified property tax levy rates authorized for fire  
21 protection districts under RCW 52.16.130, library districts,  
22 metropolitan park districts created before January 1, 2002, under their  
23 first fifty cent per thousand dollars of assessed valuation levy, and  
24 public hospital districts under their first fifty cent per thousand  
25 dollars of assessed valuation levy, shall be reduced on a pro rata  
26 basis or eliminated.

27 ~~((In determining whether the aggregate rate of tax levy on any  
28 property, that is subject to the limitations set forth in RCW  
29 84.52.050, exceeds the limitations provided in that section, the  
30 assessor shall use the hypothetical state levy, as apportioned to the  
31 county under RCW 84.48.080, that was computed under RCW 84.48.080  
32 without regard to the reduction under RCW 84.55.012.))~~

33 **Sec. 4.** RCW 84.52.043 and 2003 c 83 s 311 are each amended to read  
34 as follows:

35 Within and subject to the limitations imposed by RCW 84.52.050 as  
36 amended, the regular ad valorem tax levies upon real and personal  
37 property by the taxing districts hereafter named shall be as follows:

1 (1) Levies of the senior taxing districts shall be as follows: (a)  
2 The levy by the state shall not exceed three dollars and sixty cents  
3 per thousand dollars of assessed value adjusted to the state equalized  
4 value in accordance with the indicated ratio fixed by the state  
5 department of revenue to be used exclusively for the support of the  
6 common schools; (b) the levy by any county shall not exceed one dollar  
7 and eighty cents per thousand dollars of assessed value; (c) the levy  
8 by any road district shall not exceed two dollars and twenty-five cents  
9 per thousand dollars of assessed value; and (d) the levy by any city or  
10 town shall not exceed three dollars and thirty-seven and one-half cents  
11 per thousand dollars of assessed value. However any county is hereby  
12 authorized to increase its levy from one dollar and eighty cents to a  
13 rate not to exceed two dollars and forty-seven and one-half cents per  
14 thousand dollars of assessed value for general county purposes if the  
15 total levies for both the county and any road district within the  
16 county do not exceed four dollars and five cents per thousand dollars  
17 of assessed value, and no other taxing district has its levy reduced as  
18 a result of the increased county levy.

19 (2) The aggregate levies of junior taxing districts and senior  
20 taxing districts, other than the state, shall not exceed five dollars  
21 and ninety cents per thousand dollars of assessed valuation. The term  
22 "junior taxing districts" includes all taxing districts other than the  
23 state, counties, road districts, cities, towns, port districts, and  
24 public utility districts. The limitations provided in this subsection  
25 shall not apply to: (a) Levies at the rates provided by existing law  
26 by or for any port or public utility district; (b) excess property tax  
27 levies authorized in Article VII, section 2 of the state Constitution;  
28 (c) levies for acquiring conservation futures as authorized under RCW  
29 84.34.230; (d) levies for emergency medical care or emergency medical  
30 services imposed under RCW 84.52.069; (e) levies to finance affordable  
31 housing for very low-income housing imposed under RCW 84.52.105; (f)  
32 the portions of levies by metropolitan park districts that are  
33 protected under RCW 84.52.120; ~~((and))~~ (g) levies imposed by ferry  
34 districts under RCW 36.54.130; and (h) levies for criminal justice  
35 purposes under section 1 of this act.

1        NEW SECTION.    **Sec. 5.**    This act takes effect July 1, 2004.  
Passed by the House March 9, 2004.  
Passed by the Senate March 4, 2004.  
Approved by the Governor March 22, 2004.  
Filed in Office of Secretary of State March 22, 2004.