
Local Government Committee

HB 1486

Brief Description: Concerning voter-approved benefit charges for regional fire protection service authorities.

Sponsors: Representatives Fitzgibbon, Stanford, Bergquist, Roberts, Van De Wege, Ryu and Santos.

Brief Summary of Bill

- Allows regional fire protection service authorities (RFAs) to continue imposing benefit charges with a ballot measure approved by a majority, rather than 60 percent, of the voters voting on the measure.
- Extends future levy capacity protections to RFAs that impose benefit charges.

Hearing Date: 2/12/13

Staff: Ethan Moreno (786-7386).

Background:

Regional Fire Protection Service Authorities.

In 2004 the Legislature authorized the creation of regional fire protection service authorities (RFAs) as separate taxing districts charged with providing regional fire protection and emergency services within their jurisdictional boundaries. An RFA is formed when elected officials from two or more adjacent fire protection jurisdictions develop a plan for the creation, financing, and operation of an RFA that is subsequently approved by voters within the proposed RFA. The governing body of an RFA is determined by provisions in the plan calling for its creation. Currently, seven RFAs operate in Washington.

An RFA may impose property taxes, benefit charges, or both. Imposed benefit charges are on personal property and improvements to real property within the RFA. The benefit charges must be paid by the property owners and must be reasonably proportioned to the measurable benefits to property resulting from the services afforded by the RFA. The initial imposition or

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

reauthorization of benefit charges requires approval by 60 percent of the voters voting on the ballot measure.

Certain limitations and requirements associated with the imposition of benefit charges are specified in statute. For example, benefit charges may be imposed for a maximum term of six years, although consecutive terms are permitted. Also, the aggregate amount of benefit charges in any one year may not exceed an amount equaling 60 percent of the operating budget for the year in which the benefit charge is to be collected, and an RFA that imposes a benefit charge is barred from imposing 50 cents of the total property tax levy of \$1.50 per \$1,000 dollars of assessed valuation that an RFA may impose through resolutions of its governing body. Additionally, in accordance with specified requirements, the governing body of an RFA must hold a public hearing on its proposal to impose benefit charges. The public hearing must be held before the election at which the proposition to impose benefit charges is to be decided.

Protection of Future Levy Capacities.

The regular property tax levy for fire protection and other districts may be set at the amount which would be allowed otherwise if the property tax levy for the district had been set at the full amount authorized by law, including any fire protection district levy that would have been imposed but for provisions barring the imposition of the levy because of the imposition of a benefit charge.

The expressly stated purpose of these levy protection provisions is to: (1) remove the incentive for a taxing district to maintain its levy at the maximum level; and (2) protect the future levy capacity of a district that reduces its levy below the level that it otherwise could impose by removing the adverse consequences to future levy capacities resulting from levy reductions.

Summary of Bill:

The continued imposition of benefit charges by a regional fire protection service authority (RFA) must be approved by a majority, rather than 60 percent, of the voters of the RFA voting at a general election or special election called by the RFA for that purpose. Additionally, the public hearing that must be held before the election at which the proposition to impose benefit charges is to be decided may be conducted by an RFA planning committee if the benefit charge is proposed as part of the initial formation of the RFA.

Future levy capacity protections that apply to taxing districts and fire protection districts that impose benefit charges are extended to RFAs that impose benefit charges.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.