
HOUSE BILL 1605

State of Washington

64th Legislature

2015 Regular Session

By Representatives Peterson, Van De Wege, Griffey, Riccelli, and Fitzgibbon

Read first time 01/23/15. Referred to Committee on Local Government.

1 AN ACT Relating to benefit charges of fire protection districts
2 and regional fire protection service authorities; and amending RCW
3 52.26.220, 52.26.230, 84.55.092, and 52.18.050.

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

5 **Sec. 1.** RCW 52.26.220 and 2006 c 200 s 12 are each amended to
6 read as follows:

7 (1) (~~Notwithstanding any other provision in this chapter to the~~
8 ~~contrary, any~~) (a) The initial imposition of a benefit charge
9 authorized by this chapter (~~is not effective unless a proposition to~~
10 ~~impose the benefit charge is approved by a~~) must be approved by not
11 less than sixty percent (~~majority~~) of the voters of the regional
12 fire protection service authority voting at a general election or at
13 a special election called by the authority for that purpose(~~, held~~
14 ~~within the authority~~). ((A)) Ballot (~~measure that contains~~)
15 measures containing an authorization to impose benefit charges
16 (~~and~~) that (~~is~~) are approved by the voters pursuant to RCW
17 52.26.060 (~~meets~~) satisfy the proposition approval requirement of
18 this subsection and subsection (2) of this section.

19 (b) An election held (~~under this section~~) for the initial
20 imposition of a benefit charge must be held not more than twelve
21 months prior to the date on which the first charge is to be assessed.

1 (c) Except as provided otherwise by this section, a benefit
2 charge approved at an election expires in six ((years)) or fewer
3 years as authorized by the voters, unless subsequently reapproved by
4 the voters.

5 (2) ~~((The))~~ Ballot measures calling for the initial imposition of
6 a benefit charge must be submitted so as to enable ~~((the))~~ voters
7 favoring the authorization of a ~~((regional fire protection service~~
8 ~~authority))~~ benefit charge to vote "Yes" and those opposed to vote
9 "No." The ballot question is as follows:

10 "Shall the regional fire protection service
11 authority composed of (insert the participating fire
12 protection jurisdictions) be authorized to impose
13 benefit charges each year for (insert number of years
14 not to exceed six) years, not to exceed an amount equal to
15 sixty percent of its operating budget, and be prohibited from
16 imposing an additional property tax under RCW
17 52.26.140(1)(c)?

18	YES	NO
19	<input type="checkbox"/>	<input type="checkbox"/>

20 (3) ~~((Authorities renewing the benefit charge may elect to use~~
21 ~~the following alternative ballot))~~ (a) The continued imposition of a
22 benefit charge authorized by this chapter may be approved for six
23 consecutive years, ten consecutive years, or permanently.

24 (i) A ballot measure calling for the continued imposition of a
25 benefit charge for six or ten consecutive years must be approved by a
26 majority of the voters of the regional fire protection service
27 authority voting at a general election or at a special election
28 called by the authority for that purpose.

29 (ii) A ballot measure calling for the continued and permanent
30 imposition of a benefit charge must be approved by not less than
31 sixty percent of the voters of the regional fire protection service
32 authority voting at a general election or at a special election
33 called by the authority for that purpose. At the election, the total
34 number of persons voting must constitute not less than forty percent
35 of the voters in the authority who voted in the preceding general
36 election.

37 (b) Ballot measures calling for the continued imposition of a
38 benefit charge must be submitted so as to enable voters favoring the
39 continued imposition of the benefit charge to vote "Yes" and those

1 opposed to vote "No." The ballot question must be substantially in
2 the following form:

3 "Shall the regional fire protection service
4 authority composed of (insert the participating fire
5 protection jurisdictions) be authorized to
6 continue voter-authorized benefit charges each year
7 ((for)) (insert ((number of years not to exceed)) for
8 six consecutive years, ten consecutive years, or permanently)
9 ((years)), not to exceed an amount equal to sixty percent of
10 its operating budget, and be prohibited from imposing an
11 additional property tax under RCW 52.26.140(1)(c)?

12 YES NO
13

14 **Sec. 2.** RCW 52.26.230 and 2004 c 129 s 29 are each amended to
15 read as follows:

16 (1) Not fewer than ten days nor more than six months before the
17 election at which the proposition to impose the benefit charge is
18 submitted as provided in this chapter, the governing board of the
19 regional fire protection service authority, or the planning committee
20 if the benefit charge is proposed as part of the initial formation of
21 the authority, shall hold a public hearing specifically setting forth
22 its proposal to impose benefit charges for the support of its legally
23 authorized activities that will maintain or improve the services
24 afforded in the authority. A report of the public hearing shall be
25 filed with the county treasurer of each county in which the property
26 is located and be available for public inspection.

27 (2) Prior to November 15th of each year the governing board of
28 the authority shall hold a public hearing to review and establish the
29 regional fire protection service authority benefit charges for the
30 subsequent year.

31 (3) All resolutions imposing or changing the benefit charges must
32 be filed with the county treasurer or treasurers of each county in
33 which the property is located, together with the record of each
34 public hearing, before November 30th immediately preceding the year
35 in which the benefit charges are to be collected on behalf of the
36 authority.

1 (4) After the benefit charges have been established, the owners
2 of the property subject to the charge must be notified of the amount
3 of the charge.

4 **Sec. 3.** RCW 84.55.092 and 1998 c 16 s 3 are each amended to read
5 as follows:

6 (1) The regular property tax levy for each taxing district other
7 than the state may be set at the amount which would be allowed
8 otherwise under this chapter if the regular property tax levy for the
9 district for taxes due in prior years beginning with 1986 had been
10 set at the full amount allowed under this chapter including any levy
11 authorized under RCW 52.16.160 or 52.26.140(1)(c) that would have
12 been imposed but for the limitation in RCW 52.18.065 or 52.26.240,
13 applicable upon imposition of the benefit charge under chapter 52.18
14 or 52.26 RCW.

15 (2) The purpose of this section is to remove the incentive for a
16 taxing district to maintain its tax levy at the maximum level
17 permitted under this chapter, and to protect the future levy capacity
18 of a taxing district that reduces its tax levy below the level that
19 it otherwise could impose under this chapter, by removing the adverse
20 consequences to future levy capacities resulting from such levy
21 reductions.

22 **Sec. 4.** RCW 52.18.050 and 2013 c 49 s 1 are each amended to read
23 as follows:

24 (1)(a) The initial imposition of a benefit charge authorized by
25 this chapter must be approved by not less than sixty percent of the
26 voters of the district voting at a general election or at a special
27 election called by the district for that purpose.

28 (b) An election held for the initial imposition of a benefit
29 charge must be held not more than twelve months prior to the date on
30 which the first charge is to be assessed.

31 (c) Except as provided otherwise by this section, a benefit
32 charge approved at an election expires in six or fewer years as
33 authorized by the voters unless subsequently reapproved by the
34 voters.

35 (2) Ballot measures calling for the initial imposition of a
36 benefit charge must be submitted so as to enable voters favoring the
37 authorization of a benefit charge to vote "Yes" and those opposed to
38 vote "No," and the ballot question must be as follows:

1 "Shall county fire protection district
2 No. be authorized to impose benefit charges each year
3 for (insert number of years not to exceed six) years,
4 not to exceed an amount equal to sixty percent of its
5 operating budget, and be prohibited from imposing an
6 additional property tax under RCW 52.16.160?

7 YES NO
8

9 (3)(a) The continued imposition of a benefit charge authorized by
10 this chapter (~~((must be approved by a majority of the voters of the~~
11 ~~district voting at a general election or at a special election called~~
12 ~~by the district for that purpose))~~ may be approved for six
13 consecutive years, ten consecutive years, or permanently.

14 (~~((b) Ballot measures calling for the continued imposition of a~~
15 ~~benefit charge must be submitted so as to enable voters favoring the~~
16 ~~continued imposition of the benefit charge to vote "Yes" and those~~
17 ~~opposed to vote "No." The ballot question must be substantially in~~
18 ~~the following form))~~ (i) A ballot measure calling for the continued
19 imposition of a benefit charge for six or ten consecutive years must
20 be approved by a majority of the voters of the district voting at a
21 general election or at a special election called by the district for
22 that purpose.

23 (ii) A ballot measure calling for the continued and permanent
24 imposition of a benefit charge must be approved by not less than
25 sixty percent of the voters of the district voting at a general
26 election or at a special election called by the district for that
27 purpose. At the election, the total number of persons voting must
28 constitute not less than forty percent of the voters in the district
29 who voted in the preceding general election.

30 (b) Ballot measures calling for the continued imposition of a
31 benefit charge must be submitted so as to enable voters favoring the
32 continued imposition of the benefit charge to vote "Yes" and those
33 opposed to vote "No." The ballot question must be substantially in
34 the following form:

35 "Shall county fire protection district
36 No. be authorized to continue voter-authorized
37 benefit charges each year (~~((for))~~) (insert (~~(number of~~
38 ~~years not to exceed))~~ for six consecutive years, ten

1 consecutive years, or permanently) ((years)), not to exceed
2 an amount equal to sixty percent of its operating budget, and
3 be prohibited from imposing an additional property tax under
4 RCW 52.16.160?

5 YES NO
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