
HOUSE BILL 2778

State of Washington

66th Legislature

2020 Regular Session

By Representatives Sullivan, Springer, Stokesbary, Senn, Slatter, Boehnke, and Goehner

Read first time 01/21/20. Referred to Committee on Finance.

1 AN ACT Relating to community redevelopment financing in
2 apportionment districts; amending RCW 39.88.030, 39.88.040,
3 39.88.070, 39.88.080, 39.88.100, 84.52.043, and 84.52.050; reenacting
4 and amending RCW 39.88.020; repealing RCW 39.88.060 and 39.88.090;
5 and providing a contingent effective date.

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

7 **Sec. 1.** RCW 39.88.020 and 2011 c 336 s 815 are each reenacted
8 and amended to read as follows:

9 As used in this chapter the following terms have the following
10 meanings unless a different meaning is clearly indicated by the
11 context:

12 (1) "Apportionment district" means the geographic area, within an
13 urban area or within an unincorporated area within the boundaries of
14 a port district, from which (~~regular~~) special property taxes are to
15 be (~~apportioned~~) levied and collected to finance a public
16 improvement contained therein.

17 (2) (~~"Assessed value of real property" means the valuation of~~
18 ~~real property as placed on the last completed assessment roll of the~~
19 ~~county.~~

20 (~~3~~) "City" means any city or town.

21 (3) "County" means any county of the state of Washington.

1 (4) "Ordinance" means an ordinance, resolution, or any
2 appropriate method of taking a legislative action by the legislative
3 authority of a county, port district, or city, whether known as a
4 statute, resolution, ordinance, or otherwise.

5 (5) "Port district" means a port district established under
6 chapter 53.04 RCW.

7 (6) "Public improvement" means ~~((an undertaking to provide public~~
8 ~~facilities in an urban area))~~ one or more publicly owned facilities
9 in or serving an apportionment district which the sponsor has
10 authority to provide.

11 ~~((+6))~~ (7) "Public improvement costs" means capital expenditures
12 with respect to public improvements, including without limitation the
13 costs of design, planning, acquisition, site preparation,
14 construction, reconstruction, rehabilitation, improvement, and
15 installation of the public improvement; costs of relocation,
16 maintenance, and operation of property pending construction of the
17 public improvement; costs of relocating utilities ~~((relocated as a~~

18 ~~result of))~~ in connection with undertaking the public improvement;
19 costs of financing, including interest during construction, legal and
20 other professional services, taxes, and insurance; ~~((costs incurred~~

21 ~~by the assessor to revalue real property for the purpose of~~

22 ~~determining the tax allocation base value that are in excess of costs~~

23 ~~incurred by the assessor in accordance with his or her revaluation~~

24 ~~plan under chapter 84.41 RCW, and the))~~ costs of ~~((apportioning the))~~
25 levying and collecting the special property taxes and complying with
26 this chapter and other applicable law; and administrative costs
27 reasonably necessary and related to these costs. These costs may
28 include costs incurred prior to the adoption of the public
29 improvement ordinance, but subsequent to July 10, 1982.

30 ~~((+7))~~ (8) "Public improvement ordinance" means the ordinance
31 passed under RCW 39.88.040 ~~((+4))~~ (1) (d).

32 ~~((+8))~~ (9) "Regular property taxes" means regular property taxes
33 as now or hereafter defined in RCW 84.04.140 ~~((, except regular~~
34 ~~property taxes levied by port districts or public utility districts~~
35 ~~specifically for the purpose of making required payments of principal~~
36 ~~and interest on general indebtedness))~~.

37 ~~((+9))~~ (10) "Special property taxes" means the special property
38 taxes authorized to be levied and collected within an apportionment
39 district under RCW 39.88.070. Special property taxes are not regular
40 property taxes for any purpose under this chapter or under any other

1 provision of law, but special property taxes are "excess real
2 property taxes" for purposes of RCW 84.36.381 through 84.36.389, are
3 "real property taxes" for the purposes of chapters 84.37 and 84.38
4 RCW, are "property taxes" for the purposes of chapter 84.39 RCW, and
5 also constitute "ad valorem taxation" as that term is used in RCW
6 84.33.040.

7 (11) "Sponsor" means any county (~~(or)~~), city, or port district
8 initiating and undertaking a public improvement under this chapter.

9 (~~(10)~~) (12) "Tax allocation base value (~~(of real property)~~)"
10 means the (~~(true and fair)~~) value of (~~(real)~~) taxable property within
11 an apportionment district for the year in which the apportionment
12 district was established.

13 (~~(11)~~) (13) "Tax allocation bonds" means any bonds, notes, or
14 other obligations issued or incurred by a sponsor pursuant to
15 (~~(section 10 of this act)~~) RCW 39.88.100.

16 (~~(12)~~) (14) "Tax allocation increment value" means, as of any
17 time of calculation, the value of taxable property in the
18 apportionment district in excess of the tax allocation base value
19 within that apportionment district.

20 (15) "Tax allocation revenues" means those special property tax
21 revenues (~~(allocated to)~~) levied and collected by a sponsor under RCW
22 39.88.070(1) (b).

23 (~~(13)~~) (16) "Taxing districts" means any governmental entity
24 which levies or has levied for it regular property taxes upon real
25 property located within a proposed or approved apportionment
26 district.

27 (~~(14)~~) (17) "Urban area" means an area in a city or located
28 outside of a city that is characterized by intensive use of the land
29 for the location of structures and receiving such urban services as
30 sewers, water, and other public utilities and services normally
31 associated with urbanized areas. Not more than twenty-five percent of
32 the area within the urban area proposed apportionment district may be
33 vacant land.

34 (~~(15)~~) (18) "Value of taxable property" means (~~(value)~~)
35 assessed valuation of taxable real property as (~~(defined in RCW~~
36 39.36.015)) placed on the last completed assessment roll.

37 **Sec. 2.** RCW 39.88.030 and 1982 1st ex.s. c 42 s 4 are each
38 amended to read as follows:

1 (1) Only public improvements which are determined by the
2 legislative authority of the sponsor to meet the following criteria
3 are eligible to be financed under this chapter:

4 (a) The public improvement is located within an urban area, or
5 where a port district is a sponsor, in an unincorporated area within
6 the boundaries of that port district;

7 (b) The public improvement will encourage private development
8 within the apportionment district;

9 (c) The public improvement will increase the ~~((fair market value~~
10 ~~of the real))~~ value of taxable property located within the
11 apportionment district;

12 (d) The private development which is anticipated to occur within
13 the apportionment district as a result of the public improvement is
14 consistent with an existing comprehensive land use plan and approved
15 growth policies of the jurisdiction within which it is located;

16 (e) A public improvement located within a city has been approved
17 by the legislative authority of such city; and

18 (f) A public improvement located ~~((within an urban area))~~ in an
19 unincorporated area has been approved by the legislative authority of
20 the county within whose boundaries the area lies, and a public
21 improvement located within a city's urban growth area, as defined in
22 RCW 36.70A.030, has also been approved by the legislative authority
23 of that city.

24 (2) ~~((Apportionment of regular))~~ The levying and collection of
25 special property tax revenues to finance the public improvements ~~((is~~
26 ~~subject to the following limitations:~~

27 ~~(a) No apportionment of regular property tax revenues))~~ may take
28 place within a previously established apportionment district where
29 ~~((regular property taxes are still apportioned))~~ special property
30 taxes are still levied and collected to finance public improvements
31 without the concurrence of the sponsor which established the
32 previously established district ~~((~~

33 ~~(b) No apportionment district may be established which includes~~
34 ~~any geographic area included within a previously established~~
35 ~~apportionment district which has outstanding bonds payable in whole~~
36 ~~or in part from tax allocation revenues;~~

37 ~~(c) The total amount of outstanding bonds payable in whole or in~~
38 ~~part from tax allocation revenues arising from property located~~
39 ~~within a city shall not exceed two percent of the value of taxable~~
40 ~~property within the city, and the total amount of outstanding bonds~~

1 payable in whole or in part from tax allocation revenues arising from
2 property located within the unincorporated areas of a county shall
3 not exceed two percent of the value of taxable property within the
4 entire unincorporated area of the county; and

5 ~~(d) No taxes other than regular property taxes may be apportioned~~
6 ~~under this chapter).~~

7 (3) Public improvements may be undertaken and coordinated with
8 other programs or efforts undertaken by the sponsor or others and may
9 be funded in whole or in part from sources other than those provided
10 by this chapter.

11 **Sec. 3.** RCW 39.88.040 and 1982 1st ex.s. c 42 s 5 are each
12 amended to read as follows:

13 (1) Public improvements funded by tax allocation revenues may
14 only be located within ((an urban area. In order to secure an
15 allocation of regular)) or serve an apportionment district. In order
16 to levy and collect special property taxes to finance a public
17 improvement, a sponsor ((shall)) must:

18 ~~((1))~~ (a) Propose by ordinance a plan for the public
19 improvement which includes a description of the contemplated public
20 improvement, the estimated cost thereof, the maximum total amount of
21 the estimated cost to be paid from special property taxes or from tax
22 allocation bonds, the boundaries of the apportionment district, the
23 ((estimated period during which tax revenue apportionment is
24 contemplated)) maximum period (not to exceed thirty years) during
25 which the special property tax is to be levied and collected, and the
26 ways in which the sponsor plans to use special property tax
27 ((allocation)) revenues to finance the public improvement((, and
28 which sets at least three)). The ordinance must provide for at least
29 one public hearing((s)) thereon before the legislative authority of
30 the sponsor or a committee thereof((: PROVIDED, That)). However, a
31 public hearing((s)) for ((the)) a public improvement ((that is))
32 undertaken in combination or coordination by two or more sponsors may
33 be held jointly((+)), and a public hearing((s)) held before the
34 legislative authority or a committee of a majority thereof may be
35 combined with a public hearing((s)) held for other purposes;

36 ~~((2))~~ (b) At least fifteen days in advance of the hearing:

37 ~~((a))~~ (i) Deliver notice of the hearing to all taxing
38 districts, the county treasurer, ((and)) the county assessor,
39 ((which)) and the owners or reputed owners of all lots, tracts, and

1 parcels of land within the proposed apportionment district, as shown
2 on the rolls of the county assessor and directed to the address shown
3 thereon. The notice (~~includes~~) must include a map or drawing
4 showing the location of the contemplated public improvement and the
5 boundaries of the proposed apportionment district, a brief
6 description of the public improvement, the estimated cost thereof,
7 the maximum total amount of estimated cost to be paid from special
8 property taxes or from tax allocation bonds, the maximum period
9 during which the special property tax is to be levied and collected,
10 the anticipated increase in (~~property values~~) the value of taxable
11 real property within the apportionment district, the location of the
12 sponsor's principal business office where it will maintain
13 information concerning the public improvement for public inspection,
14 and the date and place of hearing; and

15 ~~((b))~~ (ii) Post notice in at least six public places located in
16 the proposed apportionment district and publish notice in a legal
17 newspaper of general circulation within the sponsor's jurisdiction
18 briefly describing the public improvement, the proposed
19 (~~apportionment~~) special property taxes, the boundaries of the
20 proposed apportionment district, the location where additional
21 information concerning the public improvement may be inspected, and
22 the date and place of hearing;

23 ~~((3))~~ (c) At the time and place fixed for the hearing under (a)
24 of this subsection (~~(1) of this section~~), and at such times to
25 which the hearing may be adjourned, receive and consider all
26 statements and materials as may be submitted, and objections and
27 letters filed before or within ten days thereafter;

28 ~~((4) Within)~~ (d) Not earlier than ten days and not more than
29 one hundred twenty days after completion of the public hearing or
30 hearings, pass an ordinance establishing the apportionment district
31 and authorizing the proposed public improvement, including any
32 modifications (~~which in the sponsor's opinion the hearings indicated~~
33 should be made)) the legislative authority of the sponsor deems
34 appropriate as a result of public comments received, which includes
35 the boundaries of the apportionment district, a description of the
36 public improvement, the estimated cost thereof, the (~~portion~~)
37 maximum total amount of the estimated cost thereof to be (~~reimbursed~~
38 from tax allocation revenues, the estimated time during which regular
39 property taxes are to be apportioned, the date upon which
40 apportionment of the regular)) paid from special property taxes or

1 tax allocation bonds, the date upon which the levying and collection
2 of the special property taxes will commence, the maximum period
3 during which the special property tax is to be levied and collected,
4 and a finding that the public improvement meets the conditions of RCW
5 39.88.030.

6 (2) The sponsor is divested of jurisdiction to proceed with the
7 levying and collection of special property taxes within an
8 apportionment district if a protest is filed with the legislative
9 authority of the sponsor within thirty days after the date of passage
10 of the ordinance and is signed by the owners of the property within
11 the apportionment district representing more than fifty percent of
12 the value of taxable property within that apportionment district as
13 reflected on rolls of the county assessor for the calendar year in
14 which the ordinance is passed.

15 **Sec. 4.** RCW 39.88.070 and 1982 1st ex.s. c 42 s 8 are each
16 amended to read as follows:

17 (1) Upon the date established in the public improvement
18 ordinance, but not (~~sooner~~) earlier than the first day of the
19 calendar year following the passage of the ordinance (~~(, the regular)~~)
20 and no earlier than would be permitted under RCW 84.09.030:

21 (a) Regular property taxes levied upon the (~~assessed value of~~
22 ~~real~~) property within the apportionment district (~~shall be divided~~
23 ~~as follows:~~

24 ~~(a) That portion of the regular property taxes produced by the~~
25 ~~rate of tax levied each year by or for each of the taxing districts~~
26 ~~upon the tax allocation base value of real property, or upon the~~
27 ~~assessed value of real property in each year, whichever is smaller,~~
28 ~~shall be allocated to and paid to the respective taxing districts,~~
29 ~~and~~

30 ~~(b) That portion of the regular property taxes levied each year~~
31 ~~by or for each of the taxing districts upon the assessed value of~~
32 ~~real property within an apportionment district which is in excess of~~
33 ~~the tax allocation base value of real property shall be allocated and~~
34 ~~paid to the sponsor, or the sponsor's designated agent, until all~~
35 ~~public improvement costs to be paid from the tax allocation revenues~~
36 ~~have been paid, except that the sponsor may agree to receive less~~
37 ~~than the full amount of such portion as long as bond debt service,~~
38 ~~reserve, and other bond covenant requirements are satisfied, in which~~

1 ~~ease the balance of the taxes shall be allocated to the respective~~
2 ~~taxing districts as the sponsor and the taxing districts may agree.~~

3 ~~(2) The county assessor shall revalue the real))~~ by taxing
4 districts must continue to be collected in accordance with applicable
5 law, without regard to the existence of the apportionment district or
6 the special property taxes levied or collected therein; and

7 (b) The sponsor may levy upon the value of taxable property
8 within the apportionment district, and collect special property taxes
9 in amounts the legislative authority of the sponsor deems necessary
10 to provide for the purposes set forth in RCW 39.88.080, but in annual
11 amounts not in excess of one percent of the tax allocation increment
12 value within the apportionment district. Special property taxes
13 collected within an apportionment district must be paid to the
14 sponsor, or the sponsor's designated agent, until all public
15 improvement costs and tax allocation bonds issued or incurred to be
16 paid from the tax allocation revenues have been paid, but in no event
17 may special property taxes be collected longer than the maximum
18 period set forth in the ordinance establishing the apportionment
19 district.

20 (2) Special property taxes are not subject to the limitations
21 imposed by Article VII, section 2 of the state Constitution and are
22 in excess of all statutory and charter limitations otherwise
23 applicable to property taxes levied and collected by any county,
24 city, or port district.

25 (3) The county assessor must determine the value of the taxable
26 property within the apportionment district as of January 1st of the
27 year in which the ordinance establishing the district is enacted for
28 the purpose of determining the tax allocation base value for the
29 apportionment district and ((shall)) must certify to the sponsor the
30 tax allocation base value as soon as practicable after the assessor
31 receives notice of the public improvement ordinance and ((shall))
32 must certify to the sponsor the total ((assessed)) value of ((real))
33 taxable property within thirty days after the property values for
34 each succeeding year have been established, except that the
35 ((assessed value of state-assessed real property)) value of the
36 taxable property assessed by the state under chapters 84.12 and 84.16
37 RCW within the apportionment district ((shall)) must be certified as
38 soon as the values are provided to the assessor by the department of
39 revenue. Nothing in this section authorizes revaluations of real
40 property by the assessor for property taxation that are not made in

1 accordance with the assessor's revaluation plan under chapter 84.41
2 RCW.

3 ~~((3))~~ (4) The date upon which the apportionment district was
4 established ~~((shall be))~~ is considered the date upon which the public
5 improvement ordinance was enacted by the sponsor.

6 ~~((4) The apportionment of regular property taxes))~~ (5) The
7 collection of the special property taxes within the apportionment
8 district under this section ~~((shall))~~ must cease when tax allocation
9 revenues are no longer necessary or obligated to pay public
10 improvement costs or to pay ~~((principal of and interest on bonds~~
11 ~~issued))~~ tax allocation bonds issued or incurred to finance public
12 improvement costs and payable in whole or in part from tax allocation
13 revenues, but in no event may special property taxes be collected
14 longer than the maximum period set forth in the ordinance
15 establishing the apportionment district. At the time of termination
16 of the ~~((apportionment))~~ collection of those special property taxes,
17 any excess money and any earnings thereon held by the sponsor ~~((shall~~
18 ~~be returned to the county treasurer and distributed to the taxing~~
19 ~~districts which were subject to the allocation in proportion to their~~
20 ~~regular property tax levies due for the year in which the funds are~~
21 ~~returned))~~ must be spent on costs of public improvements.

22 (6) For the purposes of Title 84 RCW, an apportionment district
23 is deemed a "taxing district" and any special property tax levy is
24 deemed a levy of the apportionment district, separate from any other
25 tax levy of the sponsor.

26 **Sec. 5.** RCW 39.88.080 and 1982 1st ex.s. c 42 s 9 are each
27 amended to read as follows:

28 (1) Tax allocation revenues may be applied, in no particular
29 order, as follows:

30 ~~((1))~~ (a) To pay public improvement costs;

31 ~~((2))~~ (b) To ~~((pay))~~ provide for payments with respect to
32 principal of and interest on, and to fund any necessary reserves for,
33 tax allocation bonds;

34 ~~((3) To pay into bond funds established to pay the principal of~~
35 ~~and interest on general obligation bonds issued pursuant to law to~~
36 ~~finance public facilities that are specified in the public~~
37 ~~improvement ordinance and constructed following the establishment of~~
38 ~~and within the apportionment district;))~~ or

39 ~~((4))~~ (c) To pay any combination of the foregoing.

1 (2) In the event that the legislative authority of a sponsor
2 determines that public improvements specified in the ordinance
3 establishing an apportionment district are impracticable to carry
4 out, or if unspent tax allocation bond proceeds or tax allocation
5 revenues remain after the completion of the public improvements
6 specified in the ordinance, the legislative authority may spend the
7 remaining bond proceeds and tax allocation revenues to retire or
8 defease those bonds or on the costs of other public improvements,
9 after holding a hearing with public notice given substantially in
10 accordance with the procedure described in RCW 39.88.040(1)(b). No
11 such change of use of tax allocation revenues or the proceeds of tax
12 allocation bonds may permit an increase in the maximum period of time
13 during which the special property tax is to be levied and collected,
14 or permit an increase in the total amount of the estimated cost to be
15 paid from special property taxes or from the tax allocation bonds as
16 set forth in the ordinance establishing the apportionment district.
17 Upon the retirement or defeasance of all tax allocation bonds secured
18 by special property taxes levied and collected within an
19 apportionment district, any remaining tax allocation revenues must be
20 spent on costs of public improvements.

21 **Sec. 6.** RCW 39.88.100 and 1982 1st ex.s. c 42 s 11 are each
22 amended to read as follows:

23 (1) A sponsor may issue such tax allocation bonds as it may deem
24 appropriate for the financing of public improvement costs and a
25 reasonable bond reserve and for the refunding of any outstanding tax
26 allocation bonds.

27 (2) The principal and interest of tax allocation bonds may be
28 made payable from:

29 (a) Tax allocation revenues;

30 (b) Project revenues which may include (i) nontax income,
31 revenues, fees, and rents from the public improvement financed with
32 the proceeds of the bonds, or portions thereof, and (ii)
33 contributions, grants, and nontax money available to the sponsor for
34 payment of costs of the public improvement or the debt service of the
35 bonds issued therefor;

36 (c) The full faith and credit of the sponsor, or of any other
37 taxing district (provision of which is declared to be a proper
38 purpose for any such taxing district), payable from annual ad valorem
39 taxes to be levied within the constitutional and statutory tax

1 limitations provided by law without a vote of the electors of the
2 sponsor or other taxing district, on all of the taxable property
3 within the boundaries of that sponsor or other taxing district;

4 (d) Any combination of the foregoing.

5 (3) (~~Tax~~) Except to the extent that a sponsor or other taxing
6 district has expressly pledged its full faith and credit to the
7 payment of tax allocation bonds, tax allocation bonds (~~shall~~) may
8 not be the general obligation of or guaranteed by all or any part of
9 the full faith and credit of the sponsor or any other state or local
10 government, or any tax revenues other than tax allocation revenues,
11 and (~~shall~~) may not be considered a debt of the sponsor or other
12 state or local government for general indebtedness limitation
13 purposes.

14 (4) The terms and conditions of tax allocation bonds may include
15 provisions for the following matters, among others:

16 (a) The date of issuance, maturity date or dates, denominations,
17 form, series, negotiability, registration, rank or priority, place of
18 payment, interest rate or rates which may be fixed or may vary over
19 the life of the tax allocation bonds, bond reserve, coverage, and
20 such other terms related to repayment of the tax allocation bonds;

21 (b) The application of tax allocation bond proceeds; the use,
22 sale, or disposition of property acquired; consideration or rents and
23 fees to be charged in the sale or lease of property acquired;
24 consideration or rents and fees to be charged in the sale or lease of
25 property within a public improvement; the application of rents, fees,
26 and revenues within a public improvement; the maintenance, insurance,
27 and replacement of property within a public improvement; other
28 encumbrances, if any, upon all or part of property within a public
29 improvement, then existing or thereafter acquired; and the type of
30 debts that may be incurred;

31 (c) The creation of special funds; the money to be so applied;
32 and the use and disposition of the money;

33 (d) The securing of the tax allocation bonds by a pledge of
34 property and property rights, by assignment of income generated by
35 the public improvement, or by pledging such additional specifically
36 described resources other than tax revenues as are available to the
37 sponsor;

38 (e) The terms and conditions for redemption;

39 (f) The replacement of lost and destroyed bond instruments;

1 (g) Procedures for amendment of the terms and conditions of the
2 tax allocation bonds;

3 (h) The powers of a trustee to enforce covenants and take other
4 actions in event of default; the rights, liabilities, powers, and
5 duties arising upon the breach of any covenant, condition, or
6 obligation; and

7 (i) When consistent with the terms of this chapter, such other
8 terms, conditions, and provisions which may make the tax allocation
9 bonds more marketable and further the purposes of this chapter.

10 (5) Tax allocation bonds may be issued and sold in such manner as
11 the legislative authority of the sponsor (~~shall determine~~)
12 determines. Tax allocation bonds may also be issued and sold in
13 accordance with chapter 39.46 RCW.

14 (6) The sponsor may also issue or incur obligations in
15 anticipation of the receipt of tax allocation bond proceeds or other
16 money available to pay public improvement costs.

17 **Sec. 7.** RCW 84.52.043 and 2017 3rd sp.s. c 13 s 304 are each
18 amended to read as follows:

19 Within and subject to the limitations imposed by RCW 84.52.050 as
20 amended, the regular ad valorem tax levies upon real and personal
21 property by the taxing districts hereafter named are as follows:

22 (1) Levies of the senior taxing districts are as follows: (a) The
23 levies by the state may not exceed the applicable aggregate rate
24 limit specified in RCW 84.52.065 (2) or (4) adjusted to the state
25 equalized value in accordance with the indicated ratio fixed by the
26 state department of revenue to be used exclusively for the support of
27 the common schools; (b) the levy by any county may not exceed one
28 dollar and eighty cents per thousand dollars of assessed value; (c)
29 the levy by any road district may not exceed two dollars and twenty-
30 five cents per thousand dollars of assessed value; and (d) the levy
31 by any city or town may not exceed three dollars and thirty-seven and
32 one-half cents per thousand dollars of assessed value. However any
33 county is hereby authorized to increase its levy from one dollar and
34 eighty cents to a rate not to exceed two dollars and forty-seven and
35 one-half cents per thousand dollars of assessed value for general
36 county purposes if the total levies for both the county and any road
37 district within the county do not exceed four dollars and five cents
38 per thousand dollars of assessed value, and no other taxing district
39 has its levy reduced as a result of the increased county levy.

1 (2) The aggregate levies of junior taxing districts and senior
2 taxing districts, other than the state, may not exceed five dollars
3 and ninety cents per thousand dollars of assessed valuation. The term
4 "junior taxing districts" includes all taxing districts other than
5 the state, counties, road districts, cities, towns, apportionment
6 districts established under chapter 39.88 RCW, port districts, and
7 public utility districts. The limitations provided in this subsection
8 do not apply to: (a) Levies at the rates provided by existing law by
9 or for any port or public utility district; (b) excess property tax
10 levies authorized in Article VII, section 2 of the state
11 Constitution; (c) levies for acquiring conservation futures as
12 authorized under RCW 84.34.230; (d) levies for emergency medical care
13 or emergency medical services imposed under RCW 84.52.069; (e) levies
14 to finance affordable housing for very low-income housing imposed
15 under RCW 84.52.105; (f) the portions of levies by metropolitan park
16 districts that are protected under RCW 84.52.120; (g) levies imposed
17 by ferry districts under RCW 36.54.130; (h) levies for criminal
18 justice purposes under RCW 84.52.135; (i) the portions of levies by
19 fire protection districts and regional fire protection service
20 authorities that are protected under RCW 84.52.125; (j) levies by
21 counties for transit-related purposes under RCW 84.52.140; (k) the
22 portion of the levy by flood control zone districts that are
23 protected under RCW 84.52.816; ~~((and))~~ (l) levies imposed by a
24 regional transit authority under RCW 81.104.175; and (m) levies by
25 and for apportionment districts established under chapter 39.88 RCW.

26 **Sec. 8.** RCW 84.52.050 and 1973 1st ex.s. c 194 s 1 are each
27 amended to read as follows:

28 (1) Except as ((hereinafter)) otherwise provided in this section,
29 the aggregate of all tax levies upon real and personal property by
30 the state and all taxing districts, now existing or hereafter
31 created, ~~((shall))~~ may not in any year exceed one percentum of the
32 true and fair value of such property in money ~~((: PROVIDED, HOWEVER,~~
33 ~~That nothing herein shall prevent))~~. Nothing in this section prevents
34 levies at the rates now provided by law by or for any port ~~((or))~~,
35 public utility district, or any apportionment district established
36 under chapter 39.88 RCW. The term "taxing district" for the purposes
37 of this section ~~((shall mean))~~ means any political subdivision,
38 municipal corporation, district, or other governmental agency
39 authorized by law to levy, or have levied for it, ad valorem taxes on

1 property, other than a port (~~(or)~~), public utility district, or any
2 apportionment district established under chapter 39.88 RCW. Such
3 aggregate limitation or any specific limitation imposed by law in
4 conformity therewith may be exceeded only as authorized by law and in
5 conformity with the provisions of Article VII, section 2(a), (b), or
6 (c) of the state Constitution (~~(of the state of Washington)~~), or in
7 conformity with any other provision of Article VII of the state
8 Constitution.

9 (2) Nothing (~~(herein contained shall prohibit)~~) in this section
10 prohibits the legislature from allocating or reallocating the
11 authority to levy taxes between the taxing districts of the state and
12 its political subdivisions in a manner which complies with the
13 aggregate tax limitation set forth in this section.

14 NEW SECTION. Sec. 9. The following acts or parts of acts are
15 each repealed:

- 16 (1) RCW 39.88.060 (Disagreements between taxing districts) and
17 1989 c 378 s 1 & 1982 1st ex.s. c 42 s 7; and
- 18 (2) RCW 39.88.090 (General obligation bonds) and 1982 1st ex.s. c
19 42 s 10.

20 NEW SECTION. Sec. 10. If any provision of this act or its
21 application to any person or circumstance is held invalid, the
22 remainder of the act or the application of the provision to other
23 persons or circumstances is not affected.

24 NEW SECTION. Sec. 11. This act takes effect if the proposed
25 amendment to Article VII of the state Constitution providing for
26 community redevelopment financing in apportionment districts (House
27 Joint Resolution No. . . . (H-3305/20)) is validly submitted to and
28 is approved and ratified by the voters at the next general election.
29 If the proposed amendment is not approved and ratified, this act is
30 void in its entirety.

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