
HOUSE BILL 2898

State of Washington

66th Legislature

2020 Regular Session

By Representative Walen

Read first time 01/29/20. Referred to Committee on Housing,
Community Development & Veterans.

1 AN ACT Relating to housing benefit districts; amending RCW
2 36.70A.600, 84.52.010, and 29A.36.210; and adding a new chapter to
3 Title 36 RCW.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds the following:

6 (a) Housing for middle-income and workforce households with
7 incomes up to two hundred percent of the area median income is a
8 public purpose;

9 (b) Providing local governments with more options to increase
10 residential capacity, especially in urban areas, consistent with
11 chapter 348, Laws of 2019 is essential to fulfill this public
12 purpose;

13 (c) Publicly funded salaried professionals and paraprofessionals,
14 such as teachers, firefighters, public servants, law enforcement,
15 nurses, social workers, and transit operators, especially professions
16 historically underrepresented by persons and communities of color,
17 cannot afford to live in the districts in which they serve due to
18 increasing housing costs;

19 (d) Employees of nonprofit organizations who help deliver
20 essential public services on contract, as well as those who help

1 provide essential services to the poor and infirm as part of their
2 organizational mission, are similarly housing cost constrained;

3 (e) With the median home value in Washington over four hundred
4 thousand dollars, the median rent price at two thousand dollars, and
5 the average incomes of such publicly funded professional households
6 ranging from fifty thousand to eighty thousand dollars, Washington
7 public employee households are particularly cost burdened when paying
8 their mortgage or rent;

9 (f) The failure to make adequate provision for low-income and
10 middle-income housing pushes many households to seek housing further
11 away from work, which leads to increased greenhouse gas emissions
12 from transportation, as well as congestion on state managed
13 transportation infrastructure, so providing for more low-income and
14 middle-income housing would enable the state to better meet
15 established goals for greenhouse gas emission reduction and commute
16 trip reduction;

17 (g) Better public policy outcomes, including improvements and
18 benefits to transportation infrastructure and business, will occur if
19 public servants and nonprofit employees can afford to live in the
20 districts they serve;

21 (h) Communities across the state are facing an affordable housing
22 crisis and there is a particularly acute need for affordable housing
23 in the Puget Sound region. With historic investments in transit in
24 the Puget Sound region, communities have the unprecedented and urgent
25 opportunity to plan for, invest in, and build additional affordable
26 housing, ensuring the region gets the most out of these investments
27 in transit while meeting critical economic, environmental, and equity
28 goals; and

29 (i) Housing can drive economic growth within neighborhoods if
30 developed with a focus on services, jobs, infrastructure
31 improvements, open spaces, and other elements that make housing vital
32 and economically additive to nearby residents and the region as a
33 whole.

34 (2) The legislature intends with this act to authorize the
35 creation of housing benefit districts in order to produce more
36 affordable low-income and middle-income housing to enable all members
37 of the workforce to live in the district in which they serve.

38 NEW SECTION. **Sec. 2.** (1) Subject to the requirements of
39 subsection (5) of this section, the legislative authority of a county

1 or city may establish a housing benefit district within the county or
2 city area or within the areas specified in subsection (2) of this
3 section for the purpose of acquiring, land banking, predevelopment
4 contracting, selling, improving, funding, and leasing land for the
5 creation of affordable low-income and middle-income housing and
6 community development projects within the district consistent with
7 any existing state, regional, or county housing plans and the
8 Washington housing policy act, chapter 43.185B RCW.

9 (2) The housing benefit district may include areas within two or
10 more cities or counties, or combination of both, if the legislative
11 authority of each participating jurisdiction has agreed to the
12 inclusion as provided in an interlocal agreement adopted pursuant to
13 chapter 39.34 RCW.

14 (3) The members of the legislative authority proposing to
15 establish the district, acting ex officio and independently,
16 constitute the governing body of the district. However, where a
17 district includes areas within more than one jurisdiction under
18 subsection (2) of this section, the district must be governed under
19 an interlocal agreement adopted pursuant to chapter 39.34 RCW, with
20 the governing body being composed of:

21 (a) At least five members including at least one elected official
22 from the legislative authority of each participating jurisdiction and
23 the remaining members appointed by the governing bodies of the
24 participating jurisdictions in a manner determined in the interlocal
25 agreement and who are members having expertise in the areas described
26 in section 4(2) of this act; or

27 (b) The governing body of the metropolitan planning organization
28 serving the district, but only if the district boundaries are
29 identical to the boundaries of the metropolitan planning organization
30 serving the district.

31 (4) The treasurer of the jurisdiction proposing to establish the
32 district shall act as the ex officio treasurer of the district,
33 unless an interlocal agreement states otherwise.

34 (5) Prior to the formation of any housing benefit district, the
35 participating jurisdictions must meet the following criteria:

36 (a) Adopt a housing action plan as described in RCW 36.70A.600(2)
37 that includes at least two of the actions listed under RCW
38 36.70A.600(1); and

39 (b) Participating jurisdictions within a county with a population
40 of at least eight hundred thousand, develop station area plans that

1 are consistent with accommodating sixty-five percent of future
2 population growth. Station area plans must be approved for
3 consistency by the advisory board established in section 4 of this
4 act.

5 (6) A housing benefit district is a quasi-municipal corporation,
6 an independent taxing "authority" within the meaning of Article VII,
7 section 1 of the state Constitution, and a "taxing district" within
8 the meaning of Article VII, section 2 of the state Constitution.

9 NEW SECTION. **Sec. 3.** (1) A housing benefit district may submit
10 an authorizing proposition to the voters within the district at a
11 special or general election and, if the proposition is approved by a
12 majority of persons voting, impose a sales and use tax in accordance
13 with the terms of this chapter. The title of each ballot measure must
14 clearly state the purposes for which the proposed sales and use tax
15 will be used and the time period for the sales tax. Except as
16 provided in subsection (2) of this section, the rate of tax under
17 this section may not exceed two-tenths of one percent of the selling
18 price in the case of a sales tax, or value of the article used, in
19 the case of a use tax. The tax authorized in this section is in
20 addition to any other taxes authorized by law and must be collected
21 from those persons who are taxable by the state under chapters 82.08
22 and 82.12 RCW upon the occurrence of any taxable event within the
23 boundaries of the district.

24 (2) For housing benefit districts consisting of a single
25 participating jurisdiction with a population greater than seven
26 hundred fifty thousand or consisting of at least two participating
27 jurisdictions with a combined population greater than two hundred
28 fifty thousand, the rate of tax authorized under subsection (1) of
29 this section may not exceed one-half of one percent of the selling
30 price in the case of a sales tax, or value of the article used, in
31 the case of a use tax.

32 (3) Beginning with taxes levied for collection in calendar year
33 2021, a housing benefit district may impose an additional regular
34 property tax levy, not to exceed one dollar per thousand dollars of
35 the assessed value of property in the district, for the exclusive
36 purpose of providing funding for the purposes described in
37 subsections (9) and (10) of this section. The tax proposition may be
38 submitted at a general or special election. The tax may be imposed
39 for each year for six consecutive years when specifically authorized

1 by a majority of the registered voters in the district voting on a
2 proposition under this subsection. Ballot propositions must conform
3 with RCW 29A.36.210. For purposes of this section, "regular property
4 tax levy" means a levy subject to the limitations provided for in
5 Article VII, section 2 of the state Constitution or by statute. The
6 limitation in RCW 84.55.010 does not apply to the first tax levy
7 imposed pursuant to this section following the approval of the levy
8 by the voters pursuant to this subsection.

9 (4) A housing benefit district may provide for the retirement of
10 voter-approved general obligation bonds, issued for capital purposes
11 only, by levying bond retirement ad valorem property tax levies in
12 excess of the one percent limitation whenever authorized by the
13 voters of the housing benefit district pursuant to Article VII,
14 section 2(b) of the state Constitution and RCW 84.52.056.

15 (5) To carry out the purposes of this chapter and notwithstanding
16 RCW 39.36.020(1), a housing benefit district may issue general
17 obligation bonds, not to exceed an amount, together with any other
18 outstanding nonvoter-approved general obligation indebtedness of the
19 district, equal to one and one-half percent of the value of taxable
20 property within the housing benefit district, as the term "value of
21 the taxable property" is defined in RCW 39.36.015. A housing benefit
22 district may additionally issue general obligation bonds for capital
23 purposes only, together with any outstanding general obligation
24 indebtedness, not to exceed an amount equal to five percent of the
25 value of the taxable property within the housing benefit district, as
26 the term "value of the taxable property" is defined in RCW 39.36.015,
27 when authorized by the voters of the housing benefit district
28 pursuant to Article VIII, section 6 of the state Constitution, and
29 may also provide for the retirement thereof by excess property tax
30 levies as provided in subsection (4) of this section. The housing
31 benefit district may, if applicable, submit a single proposition to
32 the voters that, if approved, authorizes both the issuance of the
33 bonds and the bond retirement property tax levies.

34 (6) General obligation bonds with a maturity in excess of forty
35 years shall not be issued and shall conform to the requirements of
36 chapter 39.46 RCW.

37 (7) Whenever general obligation bonds are issued to fund specific
38 projects or enterprises that generate revenues, the housing benefit
39 district may specifically pledge all or a portion of the revenues to
40 pay the principal of and interest on the general obligation bonds.

1 The housing benefit district may also pledge any other revenues that
2 may be available to the district.

3 (8) In addition to general obligation bonds, a housing benefit
4 district may issue revenue bonds to be issued and sold in accordance
5 with chapter 39.46 RCW.

6 (9) Any moneys received from the taxes imposed or bonds issued
7 under this section must be spent in accordance with the requirements
8 of this chapter, including the following:

9 (a) Station area planning strategies, including creating new or
10 updating existing plans, identifying a community vision, assessing
11 the current regulatory environment and identifying possible barriers
12 to affordable housing development, assessing displacement risk for
13 current low-income residents, creating a displacement mitigation
14 plan, and assessing alternate pathways to ownership models such as
15 community land trusts and limited or shared equity cooperatives;

16 (b) Land acquisition, based on station area plans and working
17 with local jurisdictions and both nonprofit and for-profit developers
18 to acquire, assemble, lease, land bank parcels, or sell, in cases
19 where the station area plan clearly demonstrates that it is not
20 financially feasible to lease all development parcels, with the net
21 proceeds directed to subsidies for affordable housing and to promote
22 community land trusts and infrastructure costs; and

23 (c) Infrastructure development, such as, but not limited to,
24 area-wide environmental plans, sewers, and sidewalks.

25 (10) Up to one percent of revenue generated by the taxes imposed
26 under this section must be used to cover the actual costs incurred by
27 the advisory board established in section 4 of this act in the
28 performance of its oversight and technical assistance duties.

29 NEW SECTION. **Sec. 4.** (1) There is hereby established a housing
30 benefit district advisory board, to be appointed by the governor, and
31 to provide oversight and technical assistance to housing benefit
32 districts.

33 (2)(a) Seven members of the advisory board shall be appointed by
34 the governor, one of whom shall be appointed by the governor as chair
35 of the advisory board and who shall serve on the advisory board and
36 as chair of the advisory board at the pleasure of the governor. The
37 advisory board shall consist of the following voting members:

38 (i) One member with public or private real estate finance
39 experience;

- 1 (ii) One member with affordable housing development experience;
- 2 (iii) One member with market rate housing development experience;
- 3 (iv) One member with experience in neighborhood and community
- 4 planning;
- 5 (v) One member with design and architecture experience;
- 6 (vi) One member with experience in transit-oriented development;
- 7 and
- 8 (vii) One member with economic development experience.

9 (b) The term of the persons appointed by the governor, other than
10 the chair, shall be four years from the date of their appointment,
11 except that the terms of three of the initial appointees shall be for
12 two years from the date of their appointment.

13 (3) The advisory board shall review and approve the station area
14 plans submitted by the housing benefit districts pursuant to section
15 2(5)(b) of this act to confirm compliance with regional growth
16 strategies. A housing benefit district submitting a station area plan
17 must receive approval from the advisory board before any proposition
18 for a tax is submitted to the voters.

19 (4) The staff of the state housing finance commission under
20 chapter 43.180 RCW shall provide administrative and staff support to
21 the advisory board and shall be compensated for its services solely
22 from the funds of the advisory board. In performing administrative
23 and staff support to the advisory board, the state housing finance
24 commission staff must:

25 (a) Employ permanent and temporary staff with expertise in
26 housing finance, land use and planning, transit, and project
27 development; and

28 (b) Provide all administrative and information technology
29 services required for the advisory board.

30 **Sec. 5.** RCW 36.70A.600 and 2019 c 348 s 1 are each amended to
31 read as follows:

32 (1) A city planning pursuant to RCW 36.70A.040 is encouraged to
33 take the following actions in order to increase its residential
34 building capacity:

35 (a) Authorize development in one or more areas of not fewer than
36 five hundred acres that include at least one train station served by
37 commuter rail or light rail with an average of at least fifty
38 residential units per acre that require no more than an average of

1 one on-site parking space per two bedrooms in the portions of
2 multifamily zones that are located within the areas;

3 (b) Authorize development in one or more areas of not fewer than
4 five hundred acres in cities with a population greater than forty
5 thousand or not fewer than two hundred fifty acres in cities with a
6 population less than forty thousand that include at least one bus
7 stop served by scheduled bus service of at least four times per hour
8 for twelve or more hours per day with an average of at least twenty-
9 five residential units per acre that require no more than an average
10 of one on-site parking space per two bedrooms in portions of the
11 multifamily zones that are located within the areas;

12 (c) Authorize at least one duplex, triplex, or courtyard
13 apartment on each parcel in one or more zoning districts that permit
14 single-family residences unless a city documents a specific
15 infrastructure of physical constraint that would make this
16 requirement unfeasible for a particular parcel;

17 (d) Authorize cluster zoning or lot size averaging in all zoning
18 districts that permit single-family residences;

19 (e) Authorize attached accessory dwelling units on all parcels
20 containing single-family homes where the lot is at least three
21 thousand two hundred square feet in size, and permit both attached
22 and detached accessory dwelling units on all parcels containing
23 single-family homes, provided lots are at least four thousand three
24 hundred fifty-six square feet in size. Qualifying city ordinances or
25 regulations may not provide for on-site parking requirements, owner
26 occupancy requirements, or square footage limitations below one
27 thousand square feet for the accessory dwelling unit, and must not
28 prohibit the separate rental or sale of accessory dwelling units and
29 the primary residence. Cities must set applicable impact fees at no
30 more than the projected impact of the accessory dwelling unit. To
31 allow local flexibility, other than these factors, accessory dwelling
32 units may be subject to such regulations, conditions, procedures, and
33 limitations as determined by the local legislative authority, and
34 must follow all applicable state and federal laws and local
35 ordinances;

36 (f) Adopt a subarea plan pursuant to RCW 43.21C.420;

37 (g) Adopt a planned action pursuant to RCW 43.21C.440(1)(b)(ii),
38 except that an environmental impact statement pursuant to RCW
39 43.21C.030 is not required for such an action;

1 (h) Adopt increases in categorical exemptions pursuant to RCW
2 43.21C.229 for residential or mixed-use development;

3 (i) Adopt a form-based code in one or more zoning districts that
4 permit residential uses. "Form-based code" means a land development
5 regulation that uses physical form, rather than separation of use, as
6 the organizing principle for the code;

7 (j) Authorize a duplex on each corner lot within all zoning
8 districts that permit single-family residences;

9 (k) Allow for the division or redivision of land into the maximum
10 number of lots through the short subdivision process provided in
11 chapter 58.17 RCW; and

12 (l) Authorize a minimum net density of six dwelling units per
13 acre in all residential zones, where the residential development
14 capacity will increase within the city.

15 (2) A city planning pursuant to RCW 36.70A.040 may adopt a
16 housing action plan as described in this subsection. The goal of any
17 such housing plan must be to encourage construction of additional
18 affordable and market rate housing in a greater variety of housing
19 types and at prices that are accessible to a greater variety of
20 incomes, including strategies aimed at the for-profit single-family
21 home market. A housing action plan may utilize data compiled pursuant
22 to RCW 36.70A.610. The housing action plan should:

23 (a) Quantify existing and projected housing needs for all income
24 levels, including extremely low-income households, with documentation
25 of housing and household characteristics, and cost-burdened
26 households;

27 (b) Develop strategies to increase the supply of housing, and
28 variety of housing types, needed to serve the housing needs
29 identified in (a) of this subsection;

30 (c) Analyze population and employment trends, with documentation
31 of projections;

32 (d) Consider strategies to minimize displacement of low-income
33 residents resulting from redevelopment;

34 (e) Review and evaluate the current housing element adopted
35 pursuant to RCW 36.70A.070, including an evaluation of success in
36 attaining planned housing types and units, achievement of goals and
37 policies, and implementation of the schedule of programs and actions;

38 (f) Provide for participation and input from community members,
39 community groups, local builders, local realtors, nonprofit housing
40 advocates, and local religious groups; and

1 (g) Include a schedule of programs and actions to implement the
2 recommendations of the housing action plan.

3 (3) If adopted by April 1, 2021, ordinances, amendments to
4 development regulations, and other nonproject actions taken by a city
5 to implement the actions specified in subsection (1) of this section,
6 with the exception of the action specified in subsection (1)(f) of
7 this section, are not subject to administrative or judicial appeal
8 under chapter 43.21C RCW.

9 (4) Any action taken by a city prior to April 1, 2021, to amend
10 their comprehensive plan, or adopt or amend ordinances or development
11 regulations, solely to enact provisions under subsection (1) of this
12 section is not subject to legal challenge under this chapter.

13 (5) In taking action under subsection (1) of this section, cities
14 are encouraged to utilize strategies that increase residential
15 building capacity in areas with frequent transit service and with the
16 transportation and utility infrastructure that supports the
17 additional residential building capacity.

18 (6) A city with a population over twenty thousand that is
19 planning to take at least two actions under subsection (1) of this
20 section, and that action will occur between July 28, 2019, and April
21 1, 2021, is eligible to apply to the department for planning grant
22 assistance of up to one hundred thousand dollars, subject to the
23 availability of funds appropriated for that purpose. The department
24 shall develop grant criteria to ensure that grant funds awarded are
25 proportionate to the level of effort proposed by a city, and the
26 potential increase in housing supply or regulatory streamlining that
27 could be achieved. Funding may be provided in advance of, and to
28 support, adoption of policies or ordinances consistent with this
29 section. A city can request, and the department may award, more than
30 one hundred thousand dollars for applications that demonstrate
31 extraordinary potential to increase housing supply or regulatory
32 streamlining.

33 (7) A city seeking to develop a housing action plan under
34 subsection (2) of this section (~~(is)~~) or participating jurisdictions
35 required to adopt a housing action plan under section 2(5) of this
36 act are eligible to apply to the department for up to one hundred
37 thousand dollars.

38 (8) The department shall establish grant award amounts under
39 subsections (6) and (7) of this section based on the expected number
40 of cities or participating jurisdictions that will seek or require

1 grant assistance, to ensure that all cities and participating
2 jurisdictions can receive some level of grant support. If funding
3 capacity allows, the department may consider accepting and funding
4 applications from cities with a population of less than twenty
5 thousand if the actions proposed in the application will create a
6 significant amount of housing capacity or regulatory streamlining and
7 are consistent with the actions in this section.

8 (9) In implementing chapter 348, Laws of 2019, cities are
9 encouraged to prioritize the creation of affordable, inclusive
10 neighborhoods and to consider the risk of residential displacement,
11 particularly in neighborhoods with communities at high risk of
12 displacement.

13 **Sec. 6.** RCW 84.52.010 and 2017 c 196 s 10 are each amended to
14 read as follows:

15 (1) Except as is permitted under RCW 84.55.050, all taxes must be
16 levied or voted in specific amounts.

17 (2) The rate percent of all taxes for state and county purposes,
18 and purposes of taxing districts coextensive with the county, must be
19 determined, calculated and fixed by the county assessors of the
20 respective counties, within the limitations provided by law, upon the
21 assessed valuation of the property of the county, as shown by the
22 completed tax rolls of the county, and the rate percent of all taxes
23 levied for purposes of taxing districts within any county must be
24 determined, calculated and fixed by the county assessors of the
25 respective counties, within the limitations provided by law, upon the
26 assessed valuation of the property of the taxing districts
27 respectively.

28 (3) When a county assessor finds that the aggregate rate of tax
29 levy on any property, that is subject to the limitations set forth in
30 RCW 84.52.043 or 84.52.050, exceeds the limitations provided in
31 either of these sections, the assessor must recompute and establish a
32 consolidated levy in the following manner:

33 (a) The full certified rates of tax levy for state, county,
34 county road district, regional transit authority, and city or town
35 purposes must be extended on the tax rolls in amounts not exceeding
36 the limitations established by law; however any state levy takes
37 precedence over all other levies and may not be reduced for any
38 purpose other than that required by RCW 84.55.010. If, as a result of
39 the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069,

1 84.52.105, the portion of the levy by a metropolitan park district
2 that was protected under RCW 84.52.120, 84.52.125, 84.52.135, and
3 84.52.140, and the portion of the levy by a flood control zone
4 district that was protected under RCW 84.52.816, the combined rate of
5 regular property tax levies that are subject to the one percent
6 limitation exceeds one percent of the true and fair value of any
7 property, then these levies must be reduced as follows:

8 (i) The portion of the levy by a flood control zone district that
9 was protected under RCW 84.52.816 must be reduced until the combined
10 rate no longer exceeds one percent of the true and fair value of any
11 property or must be eliminated;

12 (ii) If the combined rate of regular property tax levies that are
13 subject to the one percent limitation still exceeds one percent of
14 the true and fair value of any property, the levy imposed by a county
15 under RCW 84.52.140 must be reduced until the combined rate no longer
16 exceeds one percent of the true and fair value of any property or
17 must be eliminated;

18 (iii) If the combined rate of regular property tax levies that
19 are subject to the one percent limitation still exceeds one percent
20 of the true and fair value of any property, the portion of the levy
21 by a fire protection district or regional fire protection service
22 authority that is protected under RCW 84.52.125 must be reduced until
23 the combined rate no longer exceeds one percent of the true and fair
24 value of any property or must be eliminated;

25 (iv) If the combined rate of regular property tax levies that are
26 subject to the one percent limitation still exceeds one percent of
27 the true and fair value of any property, the levy imposed by a county
28 under RCW 84.52.135 must be reduced until the combined rate no longer
29 exceeds one percent of the true and fair value of any property or
30 must be eliminated;

31 (v) If the combined rate of regular property tax levies that are
32 subject to the one percent limitation still exceeds one percent of
33 the true and fair value of any property, the levy imposed by a ferry
34 district under RCW 36.54.130 must be reduced until the combined rate
35 no longer exceeds one percent of the true and fair value of any
36 property or must be eliminated;

37 (vi) If the combined rate of regular property tax levies that are
38 subject to the one percent limitation still exceeds one percent of
39 the true and fair value of any property, the portion of the levy by a
40 metropolitan park district that is protected under RCW 84.52.120 must

1 be reduced until the combined rate no longer exceeds one percent of
2 the true and fair value of any property or must be eliminated;

3 (vii) If the combined rate of regular property tax levies that
4 are subject to the one percent limitation still exceeds one percent
5 of the true and fair value of any property, then the levies imposed
6 under RCW 84.34.230, 84.52.105, and any portion of the levy imposed
7 under RCW 84.52.069 that is in excess of thirty cents per thousand
8 dollars of assessed value, must be reduced on a pro rata basis until
9 the combined rate no longer exceeds one percent of the true and fair
10 value of any property or must be eliminated; and

11 (viii) If the combined rate of regular property tax levies that
12 are subject to the one percent limitation still exceeds one percent
13 of the true and fair value of any property, then the thirty cents per
14 thousand dollars of assessed value of tax levy imposed under RCW
15 84.52.069 must be reduced until the combined rate no longer exceeds
16 one percent of the true and fair value of any property or eliminated.

17 (b) The certified rates of tax levy subject to these limitations
18 by all junior taxing districts imposing taxes on such property must
19 be reduced or eliminated as follows to bring the consolidated levy of
20 taxes on such property within the provisions of these limitations:

21 (i) First, the certified property tax levy authorized under
22 section 3(3) of this act must be reduced on a pro rata basis or
23 eliminated;

24 (ii) Second, the certified property tax levy authorized under RCW
25 84.52.821 must be reduced on a pro rata basis or eliminated;

26 (~~(ii) Second~~) (iii) Third, if the consolidated tax levy rate
27 still exceeds these limitations, the certified property tax levy
28 rates of those junior taxing districts authorized under RCW
29 36.68.525, 36.69.145, 35.95A.100, and 67.38.130 must be reduced on a
30 pro rata basis or eliminated;

31 (~~(iii) Third~~) (iv) Fourth, if the consolidated tax levy rate
32 still exceeds these limitations, the certified property tax levy
33 rates of flood control zone districts other than the portion of a
34 levy protected under RCW 84.52.816 must be reduced on a pro rata
35 basis or eliminated;

36 (~~(iv) Fourth~~) (v) Fifth, if the consolidated tax levy rate
37 still exceeds these limitations, the certified property tax levy
38 rates of all other junior taxing districts, other than fire
39 protection districts, regional fire protection service authorities,
40 library districts, the first fifty cent per thousand dollars of

1 assessed valuation levies for metropolitan park districts, and the
2 first fifty cent per thousand dollars of assessed valuation levies
3 for public hospital districts, must be reduced on a pro rata basis or
4 eliminated;

5 ~~((v) Fifth))~~ (vi) Sixth, if the consolidated tax levy rate still
6 exceeds these limitations, the first fifty cent per thousand dollars
7 of assessed valuation levies for metropolitan park districts created
8 on or after January 1, 2002, must be reduced on a pro rata basis or
9 eliminated;

10 ~~((vi) Sixth))~~ (vii) Seventh, if the consolidated tax levy rate
11 still exceeds these limitations, the certified property tax levy
12 rates authorized to fire protection districts under RCW 52.16.140 and
13 52.16.160 and regional fire protection service authorities under RCW
14 52.26.140(1) (b) and (c) must be reduced on a pro rata basis or
15 eliminated; and

16 ~~((vii) Seventh))~~ (viii) Eighth, if the consolidated tax levy
17 rate still exceeds these limitations, the certified property tax levy
18 rates authorized for fire protection districts under RCW 52.16.130,
19 regional fire protection service authorities under RCW
20 52.26.140(1) (a), library districts, metropolitan park districts
21 created before January 1, 2002, under their first fifty cent per
22 thousand dollars of assessed valuation levy, and public hospital
23 districts under their first fifty cent per thousand dollars of
24 assessed valuation levy, must be reduced on a pro rata basis or
25 eliminated.

26 **Sec. 7.** RCW 29A.36.210 and 2010 c 106 s 301 are each amended to
27 read as follows:

28 (1) The ballot proposition authorizing a taxing district to
29 impose the regular property tax levies authorized in RCW 36.68.525,
30 36.69.145, 67.38.130, 84.52.069, section 3(3) of this act, or
31 84.52.135 must contain in substance the following:

32 "Will the (insert the name of the taxing district) be
33 authorized to impose regular property tax levies of
34 (insert the maximum rate) or less per thousand dollars of assessed
35 valuation for each of (insert the maximum number of years
36 allowable) consecutive years?

- 37 Yes
- 38 No

1 Each voter may indicate either "Yes" or "No" on his or her ballot
2 in accordance with the procedures established under this title.

3 (2) The ballot proposition authorizing a taxing district to
4 impose a permanent regular tax levy under RCW 84.52.069 must contain
5 in substance the following:

6 "Will the (insert the name of the taxing district) be
7 authorized to impose a PERMANENT regular property levy of
8 (insert the maximum rate) or less per thousand dollars of assessed
9 valuation?

10 Yes

11 No

12 NEW SECTION. **Sec. 8.** Sections 1 through 4 of this act
13 constitute a new chapter in Title 36 RCW.

--- END ---