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**SENATE BILL 6212**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senators Das, Keiser, Lovelett, Zeiger, Dhingra, Saldaña, Nguyen, Kuderer, Warnick, Randall, Darneille, Van De Wege, Conway, and Wilson, C.

Prefiled 01/10/20. Read first time 01/13/20. Referred to Committee on Housing Stability & Affordability.

1 AN ACT Relating to the authority of counties, cities, and towns  
2 to exceed statutory property tax limitations for the purpose of  
3 financing affordable housing for very low-income households and low-  
4 income households; amending RCW 84.52.105 and 84.52.043; amending  
5 1993 c 337 s 1 (uncodified); and providing an effective date.

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

7 **Sec. 1.** 1993 c 337 s 1 (uncodified) is amended to read as  
8 follows:

9 The legislature finds that:

10 (1) Many very low-income and low-income residents of the state of  
11 Washington are unable to afford housing that is decent, safe, and  
12 appropriate to their living needs;

13 (2) Recent federal housing legislation conditions funding for  
14 affordable housing on the availability of local matching funds;

15 (3) Current statutory debt limitations may impair the ability of  
16 counties, cities, and towns to meet federal matching requirements  
17 and, as a consequence, may impair the ability of such counties,  
18 cities, and towns to develop appropriate and effective strategies to  
19 increase the availability of safe, decent, and appropriate housing  
20 that is affordable to very low-income households and low-income  
21 households; and

1 (4) It is in the public interest to encourage counties, cities,  
2 and towns to develop locally based affordable housing financing plans  
3 designed to expand and preserve the availability of housing that is  
4 decent, safe, affordable, and appropriate to the living needs of very  
5 low-income households and low-income households of the counties,  
6 cities, and towns.

7 **Sec. 2.** RCW 84.52.105 and 1995 c 318 s 10 are each amended to  
8 read as follows:

9 (1) A county, city, or town may impose additional regular  
10 property tax levies of up to fifty cents per thousand dollars of  
11 assessed value of property in each year for up to ten consecutive  
12 years to finance affordable housing for very low-income households,  
13 and affordable homeownership, owner-occupied home repair, and  
14 foreclosure prevention programs for low-income households, when  
15 specifically authorized to do so by a majority of the voters of the  
16 taxing district voting on a ballot proposition authorizing the  
17 levies. If both a county, and a city or town within the county,  
18 impose levies authorized under this section, the levies of the last  
19 jurisdiction to receive voter approval for the levies (~~shall~~) must  
20 be reduced or eliminated so that the combined rates of these levies  
21 may not exceed fifty cents per thousand dollars of assessed valuation  
22 in any area within the county. A ballot proposition authorizing a  
23 levy under this section must conform with RCW 84.52.054.

24 (2) The additional property tax levies may not be imposed until:

25 (a) The governing body of the county, city, or town declares the  
26 existence of an emergency with respect to the availability of housing  
27 that is affordable to very low-income households or low-income  
28 households in the taxing district; and

29 (b) The governing body of the county, city, or town adopts an  
30 affordable housing financing plan to serve as the plan for  
31 expenditure of funds raised by a levy authorized under this section,  
32 and the governing body determines that the affordable housing  
33 financing plan is consistent with either the locally adopted or  
34 state-adopted comprehensive housing affordability strategy, required  
35 under the Cranston-Gonzalez national affordable housing act (42  
36 U.S.C. Sec. 12701, et seq.), as amended.

37 (3) (~~For purposes of this section, the term "very~~) The  
38 definitions in this subsection apply throughout this section unless  
39 the context clearly requires otherwise.

1       (a) "Low-income household" means a single person, family, or  
2 unrelated persons living together whose income is at or below eighty  
3 percent of the median income, as determined by the United States  
4 department of housing and urban development, with adjustments for  
5 household size, for the county where the taxing district is located.

6       (b) "Very low-income household" means a single person, family, or  
7 unrelated persons living together whose income is at or below fifty  
8 percent of the median income, as determined by the United States  
9 department of housing and urban development, with adjustments for  
10 household size, for the county where the taxing district is located.

11       (4) The limitations in RCW 84.52.043 shall not apply to the tax  
12 levy authorized in this section.

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

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

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

36       (2) The aggregate levies of junior taxing districts and senior  
37 taxing districts, other than the state, may not exceed five dollars  
38 and ninety cents per thousand dollars of assessed valuation. The term  
39 "junior taxing districts" includes all taxing districts other than

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

20 NEW SECTION. **Sec. 4.** This act takes effect October 1, 2020.

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