CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2348

Chapter 361, Laws of 2024

68th Legislature 2024 Regular Session

COUNTY HOSPITALS—FUNDING

EFFECTIVE DATE: June 6, 2024—Except for sections 4 and 6, which take effect January 1, 2027.

Passed by the House March 5, 2024 Yeas 59 Nays 36

LAURIE JINKINS

Speaker of the House of Representatives

Passed by the Senate February 29, 2024

Yeas 31 Nays 18

DENNY HECK

President of the Senate

Approved March 29, 2024 11:01 AM

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2348** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 1, 2024

JAY INSLEE

Governor of the State of Washington

Secretary of State State of Washington

SUBSTITUTE HOUSE BILL 2348

AS AMENDED BY THE SENATE

Passed Legislature - 2024 Regular Session

State of Washington

68th Legislature

2024 Regular Session

By House Finance (originally sponsored by Representatives Street, Chopp, Taylor, Fitzgibbon, Berry, Orwall, Davis, Alvarado, Farivar, Macri, Ryu, Riccelli, and Ormsby)

READ FIRST TIME 02/05/24.

- 1 AN ACT Relating to county hospital funding; amending RCW
- 2 36.62.010, 36.62.090, 84.52.043, 84.52.043, 84.52.010, and 84.52.010;
- 3 providing an effective date; and providing an expiration date.
- 4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 5 **Sec. 1.** RCW 36.62.010 and 1984 c 26 s 1 are each amended to read 6 as follows:
- The legislative authority of any county may establish, provide,
- 8 and maintain hospitals for the care and treatment of the indigent,
- 9 sick, injured, or infirm, and for this purpose the county legislative
- 10 authority may:
- 11 (1) Purchase or lease real property or use lands already owned by the county;
- 13 (2) Erect all necessary buildings, make all necessary
- 14 improvements and repairs and alter any existing building for the use
- 15 of said hospitals;
- 16 (3) Use county moneys, levy taxes, and issue bonds as authorized
- 17 by law, to raise a sufficient amount of money to ((cover)) pay,
- 18 finance, or refinance the cost of procuring the site, constructing
- 19 and operating hospitals, and for the maintenance and capital expenses
- 20 thereof and all other necessary and proper expenses; and

- 1 (4) Accept and hold in trust for the county any grant of land, 2 gift or bequest of money, or any donation for the benefit of the 3 purposes of this chapter, and apply the same in accordance with the 4 terms of the gift.
- **Sec. 2.** RCW 36.62.090 and 1984 c 26 s 6 are each amended to read 6 as follows:

- (1) If the hospital is established, the county legislative authority, at the time of levying general taxes, may levy an additional regular property tax, not to exceed ((fifty)) 20 cents per thousand dollars of assessed value in any one year, for the operation, maintenance, and capital expenses of the hospital, and any outpatient clinics operated by the hospital, and for the payment of principal and interest on bonds issued for such purposes. The limitations in RCW 84.52.043 do not apply to the tax levy authorized in this section and the limitation in RCW 84.55.010 does not apply to the first year that the tax levy is imposed under this section.
- 17 (2) Only a county with a population exceeding 2,000,000 may
 18 impose the additional regular property tax authorized under this
 19 section.
- **Sec. 3.** RCW 84.52.043 and 2023 c 28 s 5 are each amended to read 21 as follows:
 - Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named are as follows:
 - (1) Levies of the senior taxing districts are as follows: (a) The levies by the state may not exceed the applicable aggregate rate limit specified in RCW 84.52.065 (2) or (4) adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county may not exceed \$1.80 per \$1,000 of assessed value; (c) the levy by any road district may not exceed \$2.25 per \$1,000 of assessed value; and (d) the levy by any city or town may not exceed \$3.375 per \$1,000 of assessed value. However, any county is hereby authorized to increase its levy from \$1.80 to a rate not to exceed \$2.475 per \$1,000 of assessed value for general county purposes if the total levies for both the county and any road district within the county do not exceed \$4.05 per \$1,000 of

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assessed value, and no other taxing district has its levy reduced as a result of the increased county levy.

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- (2) The aggregate levies of junior taxing districts and senior 3 taxing districts, other than the state, may not exceed \$5.90 per 4 \$1,000 of assessed valuation. The term "junior taxing districts" 5 6 includes all taxing districts other than the state, counties, road 7 districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection do not apply 8 to: (a) Levies at the rates provided by existing law by or for any 9 port or public utility district; (b) excess property tax levies 10 authorized in Article VII, section 2 of the state Constitution; (c) 11 12 levies for acquiring conservation futures as authorized under RCW 84.34.230; (d) levies for emergency medical care or emergency medical 13 services imposed under RCW 84.52.069; (e) 14 levies to affordable housing imposed under RCW 84.52.105; (f) the portions of 15 16 levies by metropolitan park districts that are protected under RCW 17 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; 18 (h) levies for criminal justice purposes under RCW 84.52.135; (i) the 19 portions of levies by fire protection districts and regional fire protection service authorities that are protected under RCW 20 21 84.52.125; (j) levies by counties for transit-related purposes under RCW 84.52.140; (k) the portion of the levy by flood control zone 22 23 districts that are protected under RCW 84.52.816; (1) levies imposed by a regional transit authority under RCW 81.104.175; (m) levies 24 imposed by any park and recreation district described under RCW 25 26 84.52.010(3)(a)(viii); ((and)) (n) the portion of any levy resulting from the correction of a levy error under RCW 84.52.085(3); and (o) 27 28 levies for county hospital purposes under RCW 36.62.090.
- 29 **Sec. 4.** RCW 84.52.043 and 2023 c 28 s 6 are each amended to read 30 as follows:
 - Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named are as follows:
 - (1) Levies of the senior taxing districts are as follows: (a) The levies by the state may not exceed the applicable aggregate rate limit specified in RCW 84.52.065 (2) or (4) adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county may not exceed \$1.80

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- 1 per \$1,000 of assessed value; (c) the levy by any road district may not exceed \$2.25 per \$1,000 of assessed value; and (d) the levy by 2 any city or town may not exceed \$3.375 per \$1,000 of assessed value. 3 However any county is hereby authorized to increase its levy from 4 \$1.80 to a rate not to exceed \$2.475 per \$1,000 of assessed value for 5 6 general county purposes if the total levies for both the county and 7 any road district within the county do not exceed \$4.05 per \$1,000 of assessed value, and no other taxing district has its levy reduced as 8 a result of the increased county levy. 9
- (2) The aggregate levies of junior taxing districts and senior 10 11 taxing districts, other than the state, may not exceed \$5.90 per 12 \$1,000 of assessed valuation. The term "junior taxing districts" includes all taxing districts other than the state, counties, road 13 14 districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection do not apply 15 16 to: (a) Levies at the rates provided by existing law by or for any 17 port or public utility district; (b) excess property tax levies 18 authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 19 84.34.230; (d) levies for emergency medical care or emergency medical 20 21 services imposed under RCW 84.52.069; (e) levies to finance affordable housing imposed under RCW 84.52.105; (f) the portions of 22 levies by metropolitan park districts that are protected under RCW 23 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; 24 25 (h) levies for criminal justice purposes under RCW 84.52.135; (i) the 26 portions of levies by fire protection districts and regional fire protection service authorities that are protected under RCW 27 84.52.125; (j) levies by counties for transit-related purposes under 28 29 RCW 84.52.140; (k) the portion of the levy by flood control zone districts that are protected under RCW 84.52.816; (1) levies imposed 30 31 by a regional transit authority under RCW 81.104.175; ((and)) (m) the portion of any levy resulting from the correction of a levy error 32 under RCW 84.52.085(3); and (n) levies for county hospital purposes 33 under RCW 36.62.090. 34
- 35 **Sec. 5.** RCW 84.52.010 and 2023 c 28 s 3 are each amended to read as follows:
- 37 (1) Except as is permitted under RCW 84.55.050, all taxes must be levied or voted in specific amounts.

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

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- (3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor must recompute and establish a consolidated levy in the following manner:
- (a) The full certified rates of tax levy for state, county, county road district, regional transit authority, and city or town purposes must be extended on the tax rolls in amounts not exceeding the limitations established by law; however, any state levy takes precedence over all other levies and may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 36.69.145 by a park and recreation district described under (a) (viii) of this subsection (3), 84.34.230, 84.52.069, 84.52.105, <u>36.62.090</u>, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, and 84.52.140, the portion of the levy by a flood control zone district that was protected under RCW 84.52.816, and any portion of a levy resulting from the correction of a levy error under RCW 84.52.085(3), the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies must be reduced as follows:
 - (i) The portion of any levy resulting from the correction of a levy error under RCW 84.52.085(3) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;
- (ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a

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flood control zone district that was protected under RCW 84.52.816 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

- (iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.140 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;
- (iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district or regional fire protection service authority that is protected under RCW 84.52.125 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;
- (v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;
- (vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;
- (vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;
- (viii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 36.69.145 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated. This subsection (3)(a)(viii) only applies to a

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park and recreation district located on an island and within a county with a population exceeding 2,000,000;

- (ix) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, 36.62.090, and any portion of the levy imposed under RCW 84.52.069 that is in excess of 30 cents per \$1,000 of assessed value, must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated; and
- (x) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the 30 cents per \$1,000 of assessed value of tax levy imposed under RCW 84.52.069 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or eliminated.
- (b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:
- (i) First, the certified property tax levy authorized under RCW 84.52.821 must be reduced on a pro rata basis or eliminated;
 - (ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145 except a park and recreation district described under (a) (viii) of this subsection, 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or eliminated;
 - (iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts other than the portion of a levy protected under RCW 84.52.816 must be reduced on a pro rata basis or eliminated;
- (iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first 50 cents per \$1,000 of assessed valuation levies for metropolitan park districts, and the first 50 cents per \$1,000 of

1 assessed valuation levies for public hospital districts, must be 2 reduced on a pro rata basis or eliminated;

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- (v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the first 50 cents per \$1,000 of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, must be reduced on a pro rata basis or eliminated;
- (vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) must be reduced on a pro rata basis or eliminated; and
- 12 (vii) Seventh, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized 13 for fire protection districts under RCW 52.16.130, regional fire 14 protection service authorities under RCW 52.26.140(1)(a), library 15 16 districts, metropolitan park districts created before January 1, 17 2002, under their first 50 cents per \$1,000 of assessed valuation levy, and public hospital districts under their first 50 cents per 18 \$1,000 of assessed valuation levy, must be reduced on a pro rata 19 basis or eliminated. 20
- 21 **Sec. 6.** RCW 84.52.010 and 2023 c 28 s 4 are each amended to read 22 as follows:
- 23 (1) Except as is permitted under RCW 84.55.050, all taxes must be levied or voted in specific amounts.
 - (2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.
- 36 (3) When a county assessor finds that the aggregate rate of tax 37 levy on any property, that is subject to the limitations set forth in 38 RCW 84.52.043 or 84.52.050, exceeds the limitations provided in

either of these sections, the assessor must recompute and establish a consolidated levy in the following manner:

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- (a) The full certified rates of tax levy for state, county, county road district, regional transit authority, and city or town purposes must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy takes precedence over all other levies and may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of levies imposed under RCW 36.54.130, 84.34.230, 84.52.105, <u>36.62.090</u>, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, and 84.52.140, the portion of the levy by a flood control zone district that was protected under RCW 84.52.816, and the portion of any levy resulting from the correction of a levy error under RCW 84.52.085(3), the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies must be reduced as follows:
- (i) The portion of any levy resulting from the correction of a levy error under RCW 84.52.085(3) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;
 - (ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a flood control zone district that was protected under RCW 84.52.816 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;
 - (iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.140 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;
 - (iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district or regional fire protection service authority that is protected under RCW 84.52.125 must be reduced until

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

- (v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;
- (vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;
- (vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;
- (viii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, 36.62.090, and any portion of the levy imposed under RCW 84.52.069 that is in excess of 30 cents per \$1,000 of assessed value, must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated; and
- (ix) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the 30 cents per \$1,000 of assessed value of tax levy imposed under RCW 84.52.069 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or eliminated.
- (b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:
- 39 (i) First, the certified property tax levy authorized under RCW 84.52.821 must be reduced on a pro rata basis or eliminated;

- 1 (ii) Second, if the consolidated tax levy rate still exceeds 2 these limitations, the certified property tax levy rates of those 3 junior taxing districts authorized under RCW 36.68.525, 36.69.145, 4 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or 5 eliminated;
- 6 (iii) Third, if the consolidated tax levy rate still exceeds
 7 these limitations, the certified property tax levy rates of flood
 8 control zone districts other than the portion of a levy protected
 9 under RCW 84.52.816 must be reduced on a pro rata basis or
 10 eliminated;

- (iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first 50 cents per \$1,000 of assessed valuation levies for metropolitan park districts, and the first 50 cents per \$1,000 of assessed valuation levies for public hospital districts, must be reduced on a pro rata basis or eliminated;
- (v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the first 50 cents per \$1,000 of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, must be reduced on a pro rata basis or eliminated;
- (vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) must be reduced on a pro rata basis or eliminated; and
- (vii) Seventh, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1)(a), library districts, metropolitan park districts created before January 1, 2002, under their first 50 cents per \$1,000 of assessed valuation levy, and public hospital districts under their first 50 cents per \$1,000 of assessed valuation levy, must be reduced on a pro rata basis or eliminated.
- NEW SECTION. Sec. 7. Sections 3 and 5 of this act expire 38 January 1, 2027.

NEW SECTION. Sec. 8. Sections 4 and 6 of this act take effect January 1, 2027.

Passed by the House March 5, 2024. Passed by the Senate February 29, 2024. Approved by the Governor March 29, 2024. Filed in Office of Secretary of State April 1, 2024.

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