

**RCW 17.10.240 Budget for county noxious weed control board—
Report to the legislature—Special assessments, appropriations for
noxious weed control—Assessment rates.** (1) (a) The activated county
noxious weed control board of each county shall annually submit a
budget to the county legislative authority for the operating cost of
the county's weed program for the ensuing fiscal year: PROVIDED, That
if the board finds the budget approved by the legislative authority is
insufficient for an effective county noxious weed control program, the
board may submit a budget amendment to the county legislative
authority after which the county legislative authority must hold a
hearing as provided in chapter 36.40 RCW. Activities and programs to
limit economic loss and adverse effects due to the presence and spread
of noxious weeds on all terrestrial and aquatic areas in the state are
declared to be of special benefit, including to lands owned or held by
the state, and may be used as the basis upon which special assessments
are imposed by the county legislative authority.

(b) Representatives from the department of transportation
government relations, real estate services, and maintenance operations
offices, the Washington state association of county treasurers, the
Washington state association of county assessors, and the state
noxious weed control board shall meet to develop a system by which
parcels owned or held by the department of transportation that have
been declared to receive special benefit from the county noxious weed
control board must be identified and all assessments may be
effectively billed for payment according to the process in chapter
79.44 RCW. The state noxious weed control board shall update the
appropriate legislative committees regarding progress towards
implementation of a system before January 1, 2022. By January 1, 2023,
the state noxious weed control board shall report to the appropriate
legislative committees in compliance with RCW 43.01.036 regarding the
system developed, what steps are being taken to implement the system,
and what, if any, further legislative action is needed.

(c) Funding for the budget is derived from any or all of the
following:

(i) The county legislative authority may, in lieu of a tax, levy
an assessment against the land for this purpose. Whenever there is
included within the jurisdiction of any county noxious weed control
board lands owned or held by the state, the county legislative
authority shall determine the amount of the assessment for which the
land would be liable if the land were in private ownership. Prior to
the levying of an assessment the county noxious weed control board
shall hold a public hearing at which it will gather information to
serve as a basis for classification and then classify the lands into
suitable classifications, including but not limited to dry lands,
range lands, irrigated lands, nonuse lands, forestlands, or federal
lands. The board shall develop and forward to the county legislative
authority, as a proposed level of assessment for each class, an amount
as seems just. The assessment rate shall be either uniform per acre in
its respective class or a flat rate per parcel rate plus a uniform
rate per acre or, for rights-of-way, a rate based on centerline miles:
PROVIDED, That if no benefits are found to accrue to a class of land,
a zero assessment may be levied. The assessment shall not be levied on
lands owned or held by the state, unless the assessment is levied on
other parcels or classes of parcels. The county legislative authority,
upon receipt of the proposed levels of assessment from the board,
after a hearing, shall accept or modify by resolution, or refer back

to the board for its reconsideration all or any portion of the proposed levels of assessment. The amount of the assessment constitutes a lien against the property. The county legislative authority may by resolution or ordinance require that notice of the lien be sent to each owner of property for which the assessment has not been paid by the date it was due and that each lien created be collected by the treasurer in the same manner as delinquent real property tax, if within thirty days from the date the owner is sent notice of the lien, including the amount thereof, the lien remains unpaid and an appeal has not been made pursuant to RCW 17.10.180. Liens treated as delinquent taxes bear interest at the rate of twelve percent per annum and the interest accrues as of the date notice of the lien is sent to the owner: PROVIDED FURTHER, That any collections for the lien shall not be considered as tax; or

(ii) The county legislative authority may appropriate money from the county general fund necessary for the administration of the county noxious weed control program. In addition the county legislative authority may make emergency appropriations as it deems necessary for the implementation of this chapter.

(2) Forestlands used solely for the planting, growing, or harvesting of trees and which are typified, except during a single period of five years following clear-cut logging, by canopies so dense as to prohibit growth of an understory may be subject to an annual noxious weed assessment levied by a county legislative authority that does not exceed one-tenth of the weighted average per acre noxious weed assessment levied on all other lands in unincorporated areas within the county that are subject to the weed assessment. This assessment shall be computed in accordance with the formula in subsection (3) of this section.

(3) The calculation of the "weighted average per acre noxious weed assessment" is a ratio expressed as follows:

(a) The numerator is the total amount of funds estimated to be collected from the per acre assessment on all lands except (i) forestlands as identified in subsection (2) of this section, (ii) lands exempt from the noxious weed assessment, and (iii) lands located in an incorporated area.

(b) The denominator is the total acreage from which funds in (a) of this subsection are collected. For lands of less than one acre in size, the denominator calculation may be based on the following assumptions: (i) Unimproved lands are calculated as being one-half acre in size on the average, and (ii) improved lands are calculated as being one-third acre in size on the average. The county legislative authority may choose to calculate the denominator for lands of less than one acre in size using other assumptions about average parcel size based on local information.

(4) For those counties that levy a per parcel assessment to help fund noxious weed control programs, the per parcel assessment on forestlands as defined in subsection (2) of this section shall not exceed one-tenth of the per parcel assessment on nonforestlands. [2021 c 217 s 12; 1997 c 353 s 27; 1995 c 374 s 77; 1987 c 438 s 31; 1975 1st ex.s. c 13 s 10; 1969 ex.s. c 113 s 24.]

Effective date—1995 c 374 ss 69, 70, and 72-79: See note following RCW 16.24.130.