

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2496

Chapter 180, Laws of 2002

57th Legislature
2002 Regular Session

FIRE PROTECTION DISTRICTS--TAXES

EFFECTIVE DATE: 1/1/03

Passed by the House March 11, 2002
Yeas 94 Nays 0

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate March 8, 2002
Yeas 48 Nays 0

BRAD OWEN
President of the Senate

Approved March 27, 2002

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2496** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER

Chief Clerk

FILED

March 27, 2002 - 9:00 a.m.

**Secretary of State
State of Washington**

HOUSE BILL 2496

AS AMENDED BY THE SENATE

Passed Legislature - 2002 Regular Session

State of Washington

57th Legislature

2002 Regular Session

By Representatives Dunshee and Mulliken

Read first time 01/18/2002. Referred to Committee on Local Government & Housing.

1 AN ACT Relating to fire protection district property taxes;
2 amending RCW 84.52.052 and 52.16.130; adding a new section to chapter
3 84.52 RCW; and providing a contingent effective date.

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

5 **Sec. 1.** RCW 84.52.052 and 1996 c 230 s 1615 are each amended to
6 read as follows:

7 The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW
8 84.52.043 shall not prevent the levy of additional taxes by any taxing
9 district, except school districts and fire protection districts, in
10 which a larger levy is necessary in order to prevent the impairment of
11 the obligation of contracts. As used in this section, the term "taxing
12 district" means any county, metropolitan park district, park and
13 recreation service area, park and recreation district, water-sewer
14 district, solid waste disposal district, public facilities district,
15 flood control zone district, county rail district, service district,
16 public hospital district, road district, rural county library district,
17 island library district, rural partial-county library district,
18 intercounty rural library district, (~~fire protection district,~~)
19 cemetery district, city, town, transportation benefit district,

1 emergency medical service district with a population density of less
2 than one thousand per square mile, or cultural arts, stadium, and
3 convention district.

4 Any such taxing district may levy taxes at a rate in excess of the
5 rate specified in RCW 84.52.050 through 84.52.056 and 84.52.043, or
6 84.55.010 through 84.55.050, when authorized so to do by the voters of
7 such taxing district in the manner set forth in Article VII, section
8 2(a) of the Constitution of this state at a special or general election
9 to be held in the year in which the levy is made.

10 A special election may be called and the time therefor fixed by the
11 county legislative authority, or council, board of commissioners, or
12 other governing body of any such taxing district, by giving notice
13 thereof by publication in the manner provided by law for giving notices
14 of general elections, at which special election the proposition
15 authorizing such excess levy shall be submitted in such form as to
16 enable the voters favoring the proposition to vote "yes" and those
17 opposed thereto to vote "no."

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 84.52 RCW
19 to read as follows:

20 The limitations imposed by RCW 84.52.050 through 84.52.056, and
21 84.52.043 shall not prevent the levy of taxes by a fire protection
22 district, when authorized so to do by the voters of a fire protection
23 district in the manner and for the purposes and number of years
24 allowable under Article VII, section 2(a) of the Constitution of this
25 state. Elections for taxes shall be held in the year in which the levy
26 is made, or in the case of propositions authorizing two-year through
27 four-year levies for maintenance and operation support of a fire
28 district, or authorizing two-year through six-year levies to support
29 the construction, modernization, or remodeling of fire district
30 facilities, in the year in which the first annual levy is made. Once
31 additional tax levies have been authorized for maintenance and
32 operation support of a fire protection district for a two-year through
33 four-year period, no further additional tax levies for maintenance and
34 operation support of the district for that period may be authorized.

35 A special election may be called and the time fixed by the fire
36 protection district commissioners, by giving notice by publication in
37 the manner provided by law for giving notices of general elections, at
38 which special election the proposition authorizing the excess levy

1 shall be submitted in a form as to enable the voters favoring the
2 proposition to vote "yes" and those opposed to vote "no."

3 **Sec. 3.** RCW 52.16.130 and 1989 c 63 s 27 are each amended to read
4 as follows:

5 To carry out the purposes for which fire protection districts are
6 created, the board of fire commissioners of a district may levy each
7 year, in addition to the levy or levies provided in RCW 52.16.080 for
8 the payment of the principal and interest of any outstanding general
9 obligation bonds, an ad valorem tax on all taxable property located in
10 the district not to exceed fifty cents per thousand dollars of assessed
11 value: PROVIDED, That in no case may the total general levy for all
12 purposes, except the levy for the retirement of general obligation
13 bonds, exceed one dollar per thousand dollars of assessed value.
14 Levies in excess of one dollar per thousand dollars of assessed value
15 or in excess of the aggregate dollar rate limitations or both may be
16 made for any district purpose when so authorized at a special election
17 under ((RCW 84.52.052)) section 2 of this act. Any such tax when
18 levied shall be certified to the proper county officials for the
19 collection of the tax as for other general taxes. The taxes when
20 collected shall be placed in the appropriate district fund or funds as
21 provided by law, and shall be paid out on warrants of the auditor of
22 the county in which all, or the largest portion of, the district is
23 located, upon authorization of the board of fire commissioners of the
24 district.

25 NEW SECTION. **Sec. 4.** This act takes effect January 1, 2003, if
26 the proposed amendment to Article VII, section 2 of the state
27 Constitution authorizing multiyear excess property tax levies is
28 validly submitted to and approved by the voters at the next general
29 election. If the proposed amendment is not approved, this act is void
30 in its entirety.

Passed the House March 11, 2002.

Passed the Senate March 8, 2002.

Approved by the Governor March 27, 2002.

Filed in Office of Secretary of State March 27, 2002.