

FINAL BILL REPORT

SHB 1820

C 148 L 17
Synopsis as Enacted

Brief Description: Concerning the maintenance and operations of parks and recreational land acquired through the conservation futures program.

Sponsors: House Committee on Environment (originally sponsored by Representatives Volz, Tharinger, Senn, McCaslin, Koster, Haler, Shea, Irwin and Holy).

House Committee on Environment
House Committee on Finance
Senate Committee on Natural Resources & Parks

Background:

To conserve open space, agricultural, and timber lands for public use or enjoyment, counties, cities, and certain other local governments and nonprofit organizations may acquire private land outright, lease private land, or acquire easements or development rights on private land that limit use of the land. These acquisitions are made through negotiated purchases or donations, not eminent domain. The development rights acquired under this process are called "conservation futures." Property owners whose conservation futures are held by another party may continue to use the open space, timber, or farm and agricultural land in accordance with any terms established by the conservation futures acquisition agreement.

Counties may levy a property tax of up to \$0.0625 per \$1,000 of assessed valuation to generate funds to acquire conservation futures or the title to open space, timber, and farm and agricultural lands. The decision to levy this countywide property tax is made by a county legislative authority, which may be either a board of county commissioners or a county council. At least 13 counties have opted to impose the tax, including Clark, Ferry, Island, Jefferson, King, Kitsap, Pierce, San Juan, Skagit, Snohomish, Spokane, Thurston, and Whatcom counties.

The development rights or properties acquired with the use of the property tax revenues must be located within the acquiring county. Counties must also determine whether real property acquisitions would reduce the development capacity to accommodate planned housing and employment growth, and must take reasonable measures to increase development capacity in response to the loss of capacity attributable to conservation futures acquisitions.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Counties may allocate the property taxes to be used for the acquisition of conservation futures and properties into a separate conservation futures fund. Up to 15 percent of the conservation futures property taxes collected in the preceding year may be used for park and recreational land operations and maintenance (O&M). Money from conservation future funds that is spent on park and recreational land O&M may not be used to supplant existing O&M funding.

Summary:

For certain counties, the 15 percent cap on the use of conservation futures tax revenue for park and recreational land O&M is raised to a 25 percent cap on the amount that may be spent on O&M of acquired land. In order for a county to be eligible to use 25 percent of conservation futures tax revenue on acquired land O&M, the county must:

- have rights and interests in more than 400 acres of property acquired through the conservation futures program; and
- have collected a conservation futures property tax for 20 or more years.

The O&M expenditures of conservation futures revenues in counties subject to the 25 percent O&M expenditure cap may not supplant existing O&M funding.

For all counties, the lands on which O&M conservation futures money may be spent is limited to real property acquired under the conservation futures program.

Votes on Final Passage:

House	97	0
Senate	48	0

Effective: July 23, 2017