
SUBSTITUTE HOUSE BILL 2006

State of Washington 65th Legislature 2017 Regular Session

By House Appropriations (originally sponsored by Representatives Koster, Lytton, Springer, Volz, Senn, Tharinger, Fey, Stokesbary, Appleton, Nealey, Chapman, and Ormsby)

READ FIRST TIME 02/24/17.

1 AN ACT Relating to providing cities and counties flexibility with
2 existing resources; and amending RCW 82.14.460, 84.52.135, and
3 84.55.050.

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

5 **Sec. 1.** RCW 82.14.460 and 2015 c 291 s 5 are each amended to
6 read as follows:

7 (1)(a) A county legislative authority may authorize, fix, and
8 impose a sales and use tax in accordance with the terms of this
9 chapter.

10 (b) If a county with a population over eight hundred thousand has
11 not imposed the tax authorized under this subsection by January 1,
12 2011, any city with a population over thirty thousand located in that
13 county may authorize, fix, and impose the sales and use tax in
14 accordance with the terms of this chapter. The county must provide a
15 credit against its tax for the full amount of tax imposed under this
16 subsection (1)(b) by any city located in that county if the county
17 imposes the tax after January 1, 2011.

18 (2) The tax authorized in this section is in addition to any
19 other taxes authorized by law and must be collected from those
20 persons who are taxable by the state under chapters 82.08 and 82.12
21 RCW upon the occurrence of any taxable event within the county for a

1 county's tax and within a city for a city's tax. The rate of tax
2 equals one-tenth of one percent of the selling price in the case of a
3 sales tax, or value of the article used, in the case of a use tax.

4 (3) Moneys collected under this section must be used solely for
5 the purpose of providing for the operation or delivery of chemical
6 dependency or mental health treatment programs and services and for
7 the operation or delivery of therapeutic court programs and services.
8 For the purposes of this section, "programs and services" includes,
9 but is not limited to, treatment services, case management,
10 transportation, and housing that are a component of a coordinated
11 chemical dependency or mental health treatment program or service.
12 Every county that authorizes the tax provided in this section shall,
13 and every other county may, establish and operate a therapeutic court
14 component for dependency proceedings designed to be effective for the
15 court's size, location, and resources.

16 ~~((4) All moneys collected under this section must be used solely~~
17 ~~for the purpose of providing new or expanded programs and services as~~
18 ~~provided in this section, except as follows:~~

19 ~~(a) For a county with a population larger than twenty five~~
20 ~~thousand or a city with a population over thirty thousand, which~~
21 ~~initially imposed the tax authorized under this section prior to~~
22 ~~January 1, 2012, a portion of moneys collected under this section may~~
23 ~~be used to supplant existing funding for these purposes as follows:~~
24 ~~Up to fifty percent may be used to supplant existing funding in~~
25 ~~calendar years 2011-2012; up to forty percent may be used to supplant~~
26 ~~existing funding in calendar year 2013; up to thirty percent may be~~
27 ~~used to supplant existing funding in calendar year 2014; up to twenty~~
28 ~~percent may be used to supplant existing funding in calendar year~~
29 ~~2015; and up to ten percent may be used to supplant existing funding~~
30 ~~in calendar year 2016;~~

31 ~~(b) For a county with a population larger than twenty five~~
32 ~~thousand or a city with a population over thirty thousand, which~~
33 ~~initially imposes the tax authorized under this section after~~
34 ~~December 31, 2011, a portion of moneys collected under this section~~
35 ~~may be used to supplant existing funding for these purposes as~~
36 ~~follows: Up to fifty percent may be used to supplant existing funding~~
37 ~~for up to the first three calendar years following adoption; and up~~
38 ~~to twenty five percent may be used to supplant existing funding for~~
39 ~~the fourth and fifth years after adoption;~~

1 ~~(c) For a county with a population of less than twenty five~~
2 ~~thousand, a portion of moneys collected under this section may be~~
3 ~~used to supplant existing funding for these purposes as follows: Up~~
4 ~~to eighty percent may be used to supplant existing funding in~~
5 ~~calendar years 2011-2012; up to sixty percent may be used to supplant~~
6 ~~existing funding in calendar year 2013; up to forty percent may be~~
7 ~~used to supplant existing funding in calendar year 2014; up to twenty~~
8 ~~percent may be used to supplant existing funding in calendar year~~
9 ~~2015; and up to ten percent may be used to supplant existing funding~~
10 ~~in calendar year 2016; and~~

11 ~~(d) Notwithstanding (a) through (c) of this subsection, moneys~~
12 ~~collected under this section may be used to support the cost of the~~
13 ~~judicial officer and support staff of a therapeutic court.~~

14 ~~(5) Nothing in this section may be interpreted to prohibit the~~
15 ~~use of moneys collected under this section for the replacement of~~
16 ~~lapsed federal funding previously provided for the operation or~~
17 ~~delivery of services and programs as provided in this section.)~~

18 **Sec. 2.** RCW 84.52.135 and 2004 c 80 s 1 are each amended to read
19 as follows:

20 (1) A county (~~with a population of ninety thousand or less~~) may
21 impose additional regular property tax levies in an amount equal to
22 fifty cents or less per thousand dollars of the assessed value of
23 property in the county in accordance with the terms of this section.

24 (2) The tax proposition may be submitted at a general or special
25 election.

26 (3) The tax may be imposed each year for six consecutive years
27 when specifically authorized by the registered voters voting on the
28 proposition, subject to the following:

29 (a) If the number of registered voters voting on the proposition
30 does not exceed forty percent of the total number of voters voting in
31 the taxing district at the last general election, the number of
32 persons voting "yes" on the proposition (~~shall~~) must constitute at
33 least three-fifths of a number equal to forty percent of the total
34 number of voters voting in the taxing district at the last general
35 election.

36 (b) If the number of registered voters voting on the proposition
37 exceeds forty percent of the total number of voters voting in the
38 taxing district at the last preceding general election, the number of

1 persons voting "yes" on the proposition (~~shall~~) must be at least
2 three-fifths of the registered voters voting on the proposition.

3 (4) Ballot propositions (~~shall~~) must conform with RCW
4 29A.36.210.

5 (5) Any tax imposed under this section (~~shall~~) must be used
6 exclusively for criminal justice purposes as defined in RCW
7 82.14.310.

8 (6) The limitations in RCW 84.52.043 do not apply to the tax
9 authorized in this section.

10 (7) The limitation in RCW 84.55.010 does not apply to the first
11 tax levy imposed pursuant to this section following the approval of
12 the levy by the voters pursuant to subsection (3) of this section.

13 **Sec. 3.** RCW 84.55.050 and 2009 c 551 s 3 are each amended to
14 read as follows:

15 (1) Subject to any otherwise applicable statutory dollar rate
16 limitations, regular property taxes may be levied by or for a taxing
17 district in an amount exceeding the limitations provided for in this
18 chapter if such levy is authorized by a proposition approved by a
19 majority of the voters of the taxing district voting on the
20 proposition at a general election held within the district or at a
21 special election within the taxing district called by the district
22 for the purpose of submitting such proposition to the voters. Any
23 election held pursuant to this section (~~shall~~) must be held not
24 more than twelve months prior to the date on which the proposed levy
25 is to be made, except as provided in subsection (2) of this section.
26 The ballot of the proposition (~~shall~~) must state the dollar rate
27 proposed and (~~shall~~) must clearly state the conditions, if any,
28 which are applicable under subsection (4) of this section.

29 (2)(~~(a)~~) Subject to statutory dollar limitations, a proposition
30 placed before the voters under this section may authorize annual
31 increases in levies for multiple consecutive years, up to six
32 consecutive years, during which period each year's authorized maximum
33 legal levy (~~shall~~) must be used as the base upon which an increased
34 levy limit for the succeeding year is computed, but the ballot
35 proposition must state the dollar rate proposed only for the first
36 year of the consecutive years and must state the limit factor, or a
37 specified index to be used for determining a limit factor, such as
38 the consumer price index, which need not be the same for all years,
39 by which the regular tax levy for the district may be increased in

1 each of the subsequent consecutive years. Elections for this purpose
2 must be held at a primary or general election. The title of each
3 ballot measure must state the limited purposes for which the proposed
4 annual increases during the specified period of up to six consecutive
5 years (~~(shall)~~) will be used.

6 ~~((b)(i) Except as otherwise provided in this subsection (2)(b),
7 funds raised by a levy under this subsection may not supplant
8 existing funds used for the limited purpose specified in the ballot
9 title. For purposes of this subsection, existing funds means the
10 actual operating expenditures for the calendar year in which the
11 ballot measure is approved by voters. Actual operating expenditures
12 excludes lost federal funds, lost or expired state grants or loans,
13 extraordinary events not likely to reoccur, changes in contract
14 provisions beyond the control of the taxing district receiving the
15 services, and major nonrecurring capital expenditures.~~

16 ~~(ii) The supplanting limitations in (b)(i) of this subsection do
17 not apply to levies approved by the voters in calendar years 2009,
18 2010, and 2011, in any county with a population of one million five
19 hundred thousand or more. This subsection (2)(b)(ii) only applies to
20 levies approved by the voters after July 26, 2009.~~

21 ~~(iii) The supplanting limitations in (b)(i) of this subsection do
22 not apply to levies approved by the voters in calendar year 2009 and
23 thereafter in any county with a population less than one million five
24 hundred thousand. This subsection (2)(b)(iii) only applies to levies
25 approved by the voters after July 26, 2009.)~~

26 (3) After a levy authorized pursuant to this section is made, the
27 dollar amount of such levy may not be used for the purpose of
28 computing the limitations for subsequent levies provided for in this
29 chapter, unless the ballot proposition expressly states that the levy
30 made under this section will be used for this purpose.

31 (4) If expressly stated, a proposition placed before the voters
32 under subsection (1) or (2) of this section may:

33 (a) Use the dollar amount of a levy under subsection (1) of this
34 section, or the dollar amount of the final levy under subsection (2)
35 of this section, for the purpose of computing the limitations for
36 subsequent levies provided for in this chapter;

37 (b) Limit the period for which the increased levy is to be made
38 under (a) of this subsection;

39 (c) Limit the purpose for which the increased levy is to be made
40 under (a) of this subsection, but if the limited purpose includes

1 making redemption payments on bonds, the period for which the
2 increased levies are made (~~shall~~) may not exceed nine years;

3 (d) Set the levy or levies at a rate less than the maximum rate
4 allowed for the district; or

5 (e) Include any combination of the conditions in this subsection.

6 (5) Except as otherwise expressly stated in an approved ballot
7 measure under this section, subsequent levies (~~shall~~) must be
8 computed as if:

9 (a) The proposition under this section had not been approved; and

10 (b) The taxing district had made levies at the maximum rates
11 which would otherwise have been allowed under this chapter during the
12 years levies were made under the proposition.

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