
HOUSE BILL 2041

State of Washington 65th Legislature 2017 Regular Session

By Representatives Koster, Volz, and Chapman

Read first time 02/08/17. Referred to Committee on Finance.

1 AN ACT Relating to making existing local government authority to
2 seek voter approval to raise property tax revenue more useful; and
3 amending RCW 84.52.135 and 84.55.050.

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

5 **Sec. 1.** RCW 84.52.135 and 2004 c 80 s 1 are each amended to read
6 as follows:

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

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

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

16 (a) If the number of registered voters voting on the proposition
17 does not exceed forty percent of the total number of voters voting in
18 the taxing district at the last general election, the number of
19 persons voting "yes" on the proposition (~~((shall))~~) must constitute at
20 least three-fifths of a number equal to forty percent of the total

1 number of voters voting in the taxing district at the last general
2 election.

3 (b) If the number of registered voters voting on the proposition
4 exceeds forty percent of the total number of voters voting in the
5 taxing district at the last preceding general election, the number of
6 persons voting "yes" on the proposition (~~shall~~) must be at least
7 three-fifths of the registered voters voting on the proposition.

8 (4) Ballot propositions shall conform with RCW 29A.36.210.

9 (5) Any tax imposed under this section (~~shall~~) must be used
10 exclusively for criminal justice purposes as defined in RCW
11 82.14.310.

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

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

17 **Sec. 2.** RCW 84.55.050 and 2009 c 551 s 3 are each amended to
18 read as follows:

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

33 (2)(~~(a)~~) Subject to statutory dollar limitations, a proposition
34 placed before the voters under this section may authorize annual
35 increases in levies for multiple consecutive years, up to six
36 consecutive years, during which period each year's authorized maximum
37 legal levy (~~shall~~) must be used as the base upon which an increased
38 levy limit for the succeeding year is computed, but the ballot
39 proposition must state the dollar rate proposed only for the first

1 year of the consecutive years and must state the limit factor, or a
2 specified index to be used for determining a limit factor, such as
3 the consumer price index, which need not be the same for all years,
4 by which the regular tax levy for the district may be increased in
5 each of the subsequent consecutive years. Elections for this purpose
6 must be held at a primary or general election. The title of each
7 ballot measure must state the limited purposes for which the proposed
8 annual increases during the specified period of up to six consecutive
9 years (~~(shall)~~) will be used.

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

20 ~~(ii) The supplanting limitations in (b)(i) of this subsection do~~
21 ~~not apply to levies approved by the voters in calendar years 2009,~~
22 ~~2010, and 2011, in any county with a population of one million five~~
23 ~~hundred thousand or more. This subsection (2)(b)(ii) only applies to~~
24 ~~levies approved by the voters after July 26, 2009.~~

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

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

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

37 (a) Use the dollar amount of a levy under subsection (1) of this
38 section, or the dollar amount of the final levy under subsection (2)
39 of this section, for the purpose of computing the limitations for
40 subsequent levies provided for in this chapter;

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

3 (c) Limit the purpose for which the increased levy is to be made
4 under (a) of this subsection, but if the limited purpose includes
5 making redemption payments on bonds, the period for which the
6 increased levies are made (~~shall~~) may not exceed nine years;

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

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

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

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

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

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