

SHB 2140 - H AMD TO H AMD (H3105.1) **843**

By Representative Caldier

WITHDRAWN 04/26/2019

1 On page 8, after line 33 of the striking amendment, insert the
2 following:

3
4 **"Sec. 5.** RCW 84.52.053 and 2018 c 266 s 306 are each amended to
5 read as follows:

6 (1) The limitations imposed by RCW 84.52.050 through 84.52.056,
7 and 84.52.043 shall not prevent the levy of taxes by school
8 districts, when authorized so to do by the voters of such school
9 district in the manner and for the purposes and number of years
10 allowable under Article VII, section 2(a) and Article IX, section 1
11 of the Constitution of this state. Elections for such taxes shall be
12 held in the year in which the levy is made or, in the case of
13 propositions authorizing two-year through four-year levies for
14 enrichment funding for a school district, authorizing two-year
15 levies for transportation vehicle funds established in RCW 28A.
16 160.130 or authorizing two-year through six-year levies to support
17 the construction, modernization, or remodeling of school facilities,
18 which includes the purposes of RCW 28A.320.330(2) (f) and (g), in
19 the year in which the first annual levy is made.

20 (2)(a) Once additional tax levies have been authorized for
21 enrichment funding for a school district for a two-year through
22 four-year period as provided under subsection (1) of this section,
23 no further additional tax levies for enrichment funding for the
24 district for that period may be authorized, except for additional
25 levies to provide for subsequently enacted increases affecting the
26 district's maximum levy.

27

1 (b) Notwithstanding (a) of this subsection, any school district
2 that is required to annex or receive territory pursuant to a
3 dissolution of a financially insolvent school district pursuant to
4 RCW 28A.315.225 may call either a replacement or supplemental levy
5 election within the school district, including the territory annexed
6 or transferred, as follows:

7 (i) An election for a proposition authorizing two-year through
8 four-year levies for enrichment funding for a school district may be
9 called and held before the effective date of dissolution to replace
10 existing enrichment levies and to provide for increases due to the
11 dissolution.

12 (ii) An election for a proposition authorizing additional tax
13 levies may be called and held before the effective date of
14 dissolution to provide for increases due to the dissolution.

15 (iii) In the event a replacement levy election under (b)(i) of
16 this subsection is held but does not pass, the affected school
17 district may subsequently hold a supplemental levy election pursuant
18 to (b)(ii) of this subsection if the supplemental levy election is
19 held before the effective date of dissolution. In the event a
20 supplemental levy election is held under (b)(ii) of this subsection
21 but does not pass, the affected school district may subsequently
22 hold a replacement levy election pursuant to (b)(i) of this
23 subsection if the replacement levy election is held before the
24 effective date of dissolution. Failure of a replacement levy or
25 supplemental levy election does not affect any previously approved
26 and existing enrichment levy within the affected school district or
27 districts.

28 (c) For the purpose of applying the limitation of this
29 subsection (2), a two-year through six-year levy to support the
30 construction, modernization, or remodeling of school facilities
31 shall not be deemed to be a tax levy for enrichment funding for a
32 school district.

33 (3) A special election may be called and the time therefor fixed
34 by the board of school directors, by giving notice thereof by

1 publication in the manner provided by law for giving notices of
2 general elections, at which special election the proposition
3 authorizing such excess levy shall be submitted in such form as to
4 enable the voters favoring the proposition to vote "yes" and those
5 opposed thereto to vote "no."

6 (4)(a) Beginning September 1, 2018, school districts may use
7 enrichment levies solely to enrich the state's statutory program of
8 basic education as authorized under RCW 28A.150.276.

9 (b) Beginning with propositions for enrichment levies for
10 collection in calendar year 2020 and thereafter, a district must
11 receive approval of an enrichment levy expenditure plan from the
12 superintendent of public instruction under RCW 28A.505.240 before
13 submission of the proposition to the voters.

14 (5) Beginning with taxes levied for collection in 2020, a school
15 district must receive approval from the voters of such school
16 district before it can increase enrichment levy collections above
17 the limitations established in Chapter 266, section 307, Laws of
18 2018."

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20 Renumber the remaining sections consecutively and correct any
21 internal references accordingly.

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EFFECT: Requires school districts to receive approval from voters before they can increase levies above the current limits of the lesser of \$1.50 per \$1,00 of assessed property value or \$2,500 per pupil, beginning with taxes collected in 2020.

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