

SSB 5676 - S AMD 1007

By Senator Takko

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 82.46.035 and 2019 c 73 s 2 are each amended to
4 read as follows:

5 (1) The legislative authority of any county or city must identify
6 in the adopted budget the capital projects funded in whole or in part
7 from the proceeds of the tax authorized in this section, and must
8 indicate that such tax is intended to be in addition to other funds
9 that may be reasonably available for such capital projects.

10 (2) The legislative authority of any county or any city that
11 plans under RCW 36.70A.040(~~((1))~~) may impose an additional excise tax
12 on each sale of real property in the unincorporated areas of the
13 county for the county tax and in the corporate limits of the city for
14 the city tax at a rate not exceeding one-quarter of one percent of
15 the selling price. (~~((Any county choosing to plan under RCW
16 36.70A.040(2) and any city within such a county may only adopt an
17 ordinance imposing the excise tax authorized by this section if the
18 ordinance is first authorized by a proposition approved by a majority
19 of the voters of the taxing district voting on the proposition at a
20 general election held within the district or at a special election
21 within the taxing district called by the district for the purpose of
22 submitting such proposition to the voters.))~~)

23 (3) Revenues generated from the tax imposed under subsection (2)
24 of this section must be used by such counties and cities solely for
25 financing capital projects specified in a capital facilities plan
26 element of a comprehensive plan. However, revenues (a) pledged by
27 such counties and cities to debt retirement prior to March 1, 1992,
28 may continue to be used for that purpose until the original debt for
29 which the revenues were pledged is retired, or (b) committed prior to
30 March 1, 1992, by such counties or cities to a project may continue
31 to be used for that purpose until the project is completed.

1 (4) Revenues generated by the tax imposed by this section must be
2 deposited in a separate account.

3 (5) As used in this section, "city" means any city or town and
4 "capital project" means those public works projects of a local
5 government for:

6 (a) Planning, acquisition, construction, reconstruction, repair,
7 replacement, rehabilitation, or improvement of streets, roads,
8 highways, sidewalks, street and road lighting systems, traffic
9 signals, bridges, domestic water systems, storm and sanitary sewer
10 systems;

11 (b) Planning, construction, reconstruction, repair,
12 rehabilitation, or improvement of parks; and

13 (c) Until January 1, 2026, planning, acquisition, construction,
14 reconstruction, repair, replacement, rehabilitation, or improvement
15 of facilities for those experiencing homelessness and affordable
16 housing projects.

17 (6) A county or city may use the greater of one hundred thousand
18 dollars or twenty-five percent of available funds, but not to exceed
19 one million dollars, for capital projects as defined in subsection
20 (5)(c) of this section. The limits in this subsection do not apply to
21 any county or city that used revenue under this section for the
22 acquisition, construction, improvement, or rehabilitation of
23 facilities to provide housing for the homeless prior to June 30,
24 2019.

25 (7) A county or city using funds for uses in subsection (5)(c) of
26 this section must document in its plan under RCW 36.70A.070(3) that
27 it has funds during the next two years for capital projects in
28 subsection (5)(a) of this section.

29 (8) When the governor files a notice of noncompliance under RCW
30 36.70A.340 with the secretary of state and the appropriate county or
31 city, the county or city's authority to impose the additional excise
32 tax under this section is temporarily rescinded until the governor
33 files a subsequent notice rescinding the notice of noncompliance.

34 (9)(a)(i) Any referendum petition to repeal a county or city
35 ordinance imposing a tax authorized by subsection (2) of this section
36 must be filed with a filing officer, as identified in the ordinance,
37 within seven days of passage of the ordinance. Within ten days of
38 receiving a referendum petition, the filing officer must confer with
39 the petitioner concerning form and style of the petition, issue an
40 identification number for the petition, and write a ballot title for

1 the measure. The ballot title must be posed as a question so that an
2 affirmative answer to the question and an affirmative vote on the
3 measure results in the tax being imposed and a negative answer to the
4 question and a negative vote on the measure results in the tax not
5 being imposed. The petitioner must be notified of the identification
6 number and ballot title within this ten-day period.

7 (ii) Within thirty days of notification of the identification
8 number and ballot title, the petitioner must secure and file with the
9 filing officer petition forms with the signatures of at least fifteen
10 percent of the registered voters of the county for county measures,
11 or at least fifteen percent of the registered voters of the city for
12 city measures. Each petition form must contain the ballot title and
13 the full text of the measure to be referred. The filing officer must
14 verify the sufficiency of the signatures on the petitions. If
15 sufficient valid signatures are properly submitted, the filing
16 officer must submit the referendum measure to the county or city
17 voters at a general or special election held on one of the dates
18 provided in RCW 29A.04.321 as determined by the county or city
19 legislative authority. The election must not take place later than
20 one hundred twenty days after the signed petition has been filed with
21 the filing officer.

22 (b) The referendum and initiative procedure provided in (a) of
23 this subsection applies only to ordinances imposing a tax authorized
24 in subsection (2) of this section enacted by a county choosing to
25 plan under RCW 36.70A.040(2) and any city within such a county."

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26 On page 1, line 3 of the title, after "action;" strike the
27 remainder of the title and insert "and amending RCW 82.46.035."

EFFECT: Makes changes to reflect substantively unrelated 2019 amendments regarding funding for facilities serving the homeless and affordable housing projects.

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