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**HOUSE BILL 2472**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Representatives Hutchins, Nance, Couture, Griffey, Simmons, Caldier, Chambers, and Cheney

AN ACT Relating to providing state matching funds for programs supported by the county sales and use tax for chemical dependency, mental health treatment, and therapeutic courts; amending RCW 82.14.460; and creating a new section.

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

NEW SECTION. **Sec.**  (1) The legislature finds that Washington state counties and cities face significant challenges related to the opioid pandemic and rising rates of mental health disorders, substance use disorders, and homelessness.

(2) It is the intent of the legislature in enacting this act to increase local behavioral health treatment resources by providing matching funds to local governments for programs supported by the county sales and use tax for chemical dependency, mental health, and therapeutic courts.

**Sec.**  RCW 82.14.460 and 2023 c 101 s 1 are each amended to read as follows:

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

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

(2) The tax authorized in this section is in addition to any other taxes authorized by law and must be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the county for a county's tax and within a city for a city's tax. The rate of tax equals one-tenth of one percent of the selling price in the case of a sales tax, or value of the article used, in the case of a use tax.

(3) Moneys collected under this section must be used solely for the purpose of providing for the operation or delivery of chemical dependency or mental health treatment programs and services and for the operation or delivery of therapeutic court programs and services. Moneys collected by cities and counties under this section may also be used for modifications to existing facilities to address health and safety needs necessary for the provision, operation, or delivery of chemical dependency or mental health treatment programs or services otherwise funded with moneys collected in this section. For the purposes of this section, "programs and services" includes, but is not limited to, treatment services, case management, transportation, and housing that are a component of a coordinated chemical dependency or mental health treatment program or service. Every county that authorizes the tax provided in this section shall, and every other county may, establish and operate a therapeutic court component for dependency proceedings designed to be effective for the court's size, location, and resources.

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

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

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

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

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

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

(6)(a) Subject to the limits in (b) of this section (6), the state must provide matching funds, on an equal basis, to the funds received by counties and cities under this section.

(b) If enactment of a sales and use tax under this section at a rate of 0.1 percent at the county level would generate revenues in excess of $75,000,000, matching funds may not be provided for a county, or for cities within such a county.

(7) Each year, the department must calculate the amount of tax collected by a county or city pursuant to this section that is eligible for the state match in subsection (6) of this section for the prior calendar year.

(8) At least 30 days prior to the start of each fiscal year, the department shall notify the treasurer of the amount of moneys that must be transferred to each county and city from the state general fund pursuant to subsection (7) of this section.

(9) Beginning July 1, 2024, at the beginning of each fiscal year, the treasurer shall transfer the amount specified by the department in subsection (8) of this section from the state general fund to the appropriate counties.

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