

1 **ESB 5843** - H COMM AMD

2 By Committee on Local Government

3 On page 1, after the enacting clause, strike the remainder of
4 the bill and insert the following:

5 "NEW SECTION. **Sec. 1.** The legislature finds that:

6 (1) Many very low-income residents of the state of Washington
7 are unable to afford housing that is decent, safe, and appropriate
8 to their living needs;

9 (2) Recent federal housing legislation conditions funding for
10 affordable housing on the availability of local matching funds;

11 (3) Current statutory debt limitations may impair the ability
12 of counties, cities, and towns to meet federal matching
13 requirements and, as a consequence, may impair the ability of such
14 counties, cities, and towns to develop appropriate and effective
15 strategies to increase the availability of safe, decent, and
16 appropriate housing that is affordable to very low-income
17 households; and

18 (4) It is in the public interest to encourage counties,
19 cities, and towns to develop locally based affordable housing
20 financing plans designed to expand the availability of housing that
21 is decent, safe, affordable, and appropriate to the living needs of
22 very low-income households of the counties, cities, and towns.

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 84.52
24 RCW to read as follows:

25 (1) A county, city, or town may impose additional regular
26 property tax levies of up to fifty cents per thousand dollars of
27 assessed value of property in each year for up to ten consecutive
28 years to finance affordable housing for very low-income households
29 when specifically authorized to do so by a majority of the voters
30 of the taxing district voting on a ballot proposition authorizing
31 the levies. If both a county, and a city or town within the

1 county, impose levies authorized under this section, the levies of
2 the last jurisdiction to receive voter approval for the levies
3 shall be reduced or eliminated so that the combined rates of these
4 levies may not exceed fifty cents per thousand dollars of assessed
5 valuation in any area within the county. A ballot proposition
6 authorizing a levy under this section must conform with RCW
7 84.52.054.

8 (2) The additional property tax levies may not be imposed
9 until:

10 (a) The governing body of the county, city, or town declares
11 the existence of an emergency with respect to the availability of
12 housing that is affordable to very low-income households in the
13 taxing district; and

14 (b) The governing body of the county, city, or town adopts an
15 affordable housing financing plan to serve as the plan for
16 expenditure of funds raised by a levy authorized under this
17 section, and the governing body determines that the affordable
18 housing financing plan is consistent with either the locally
19 adopted or state-adopted comprehensive housing affordability
20 strategy, required under the Cranston-Gonzalez national affordable
21 housing act (42 U.S.C. Sec. 12701, et seq.), as amended.

22 (3) For purposes of this section, the term "very low-income
23 household" means a single person, family, or unrelated persons
24 living together whose income is at or below fifty percent of the
25 median income, as determined by the United States department of
26 housing and urban development, with adjustments for household size,
27 for the county where the taxing district is located.

28 **Sec. 3.** RCW 84.52.043 and 1990 c 234 s 1 are each amended to
29 read as follows:

30 Within and subject to the limitations imposed by RCW 84.52.050
31 as amended, the regular ad valorem tax levies upon real and

1 personal property by the taxing districts hereafter named shall be
2 as follows:

3 (1) Levies of the senior taxing districts shall be as follows:

4 (a) The levy by the state shall not exceed three dollars and sixty
5 cents per thousand dollars of assessed value adjusted to the state
6 equalized value in accordance with the indicated ratio fixed by the
7 state department of revenue to be used exclusively for the support
8 of the common schools; (b) the levy by any county shall not exceed
9 one dollar and eighty cents per thousand dollars of assessed value;
10 (c) the levy by any road district shall not exceed two dollars and
11 twenty-five cents per thousand dollars of assessed value; and (d)
12 the levy by any city or town shall not exceed three dollars and
13 thirty-seven and one-half cents per thousand dollars of assessed
14 value. However any county is hereby authorized to increase its
15 levy from one dollar and eighty cents to a rate not to exceed two
16 dollars and forty-seven and one-half cents per thousand dollars of
17 assessed value for general county purposes if the total levies for
18 both the county and any road district within the county do not
19 exceed four dollars and five cents per thousand dollars of assessed
20 value, and no other taxing district has its levy reduced as a
21 result of the increased county levy.

22 (2) (~~Except as provided in RCW 84.52.100,~~) The aggregate
23 levies of junior taxing districts and senior taxing districts,
24 other than the state, shall not exceed five dollars and ninety
25 cents per thousand dollars of assessed valuation. The term "junior
26 taxing districts" includes all taxing districts other than the
27 state, counties, road districts, cities, towns, port districts, and
28 public utility districts. The limitations provided in this
29 subsection shall not apply to: (a) Levies at the rates provided by
30 existing law by or for any port or public utility district; (b)
31 excess property tax levies authorized in Article VII, section 2 of
32 the state Constitution; (c) levies for acquiring conservation
33 futures as authorized under RCW 84.34.230; (~~and~~) (d) levies for

1 emergency medical care or emergency medical services imposed under
2 RCW 84.52.069; and (e) levies to finance affordable housing for
3 very low-income housing imposed under section 2 of this act.

4 **Sec. 4.** RCW 84.52.010 and 1990 c 234 s 4 are each amended to
5 read as follows:

6 Except as is permitted under RCW 84.55.050, all taxes shall be
7 levied or voted in specific amounts.

8 The rate percent of all taxes for state and county purposes,
9 and purposes of taxing districts coextensive with the county, shall
10 be determined, calculated and fixed by the county assessors of the
11 respective counties, within the limitations provided by law, upon
12 the assessed valuation of the property of the county, as shown by
13 the completed tax rolls of the county, and the rate percent of all
14 taxes levied for purposes of taxing districts within any county
15 shall be determined, calculated and fixed by the county assessors
16 of the respective counties, within the limitations provided by law,
17 upon the assessed valuation of the property of the taxing districts
18 respectively.

19 When a county assessor finds that the aggregate rate of tax
20 levy on any property, that is subject to the limitations set forth
21 in RCW 84.52.043 or 84.52.050, as now or hereafter amended, exceeds
22 the limitations provided in either of these sections, the assessor
23 shall recompute and establish a consolidated levy in the following
24 manner:

25 (1) The full certified rates of tax levy for state, county,
26 county road district, and city or town purposes shall be extended
27 on the tax rolls in amounts not exceeding the limitations
28 established by law(~~(, subject to subsection (2)(e) of this~~
29 ~~section));~~ however any state levy shall take precedence over all
30 other levies and shall not be reduced for any purpose other than
31 that required by RCW 84.55.010; however, if as a result of the
32 levies imposed under RCW 84.52.069, 84.34.230, and section 2 of

1 this act, the combined rates of regular property tax levies exceed
2 one percent of the true and fair value of any property, then these
3 levies shall be reduced on a pro rata basis or eliminated until the
4 combined rates of regular property tax levies no longer exceed one
5 percent of the true and fair value of any property; and

6 (2) The certified rates of tax levy subject to these
7 limitations by all junior taxing districts imposing taxes on such
8 property shall be reduced or eliminated as follows to bring the
9 consolidated levy of taxes on such property within the provisions
10 of these limitations:

11 (a) First, the certified property tax levy rates of those
12 junior taxing districts authorized under RCW 36.68.525, 36.69.145,
13 and 67.38.130 shall be reduced on a pro rata basis or eliminated;

14 (b) Second, if the consolidated tax levy rate still exceeds
15 these limitations, the certified property tax levy rates of flood
16 control zone districts shall be reduced on a pro rata basis or
17 eliminated;

18 (c) Third, if the consolidated tax levy rate still exceeds
19 these limitations, the certified property tax levy rates of all
20 other junior taxing districts, other than fire protection
21 districts, library districts, the first fifty cent per thousand
22 dollars of assessed valuation levies for metropolitan park
23 districts, and the first fifty cent per thousand dollars of
24 assessed valuation levies for public hospital districts, shall be
25 reduced on a pro rata basis or eliminated;

26 (d) Fourth, if the consolidated tax levy rate still exceeds
27 these limitations, the certified property tax levy rates authorized
28 to fire protection districts under RCW 52.16.140 and 52.16.160
29 shall be reduced on a pro rata basis or eliminated; and

30 (e) Fifth, if the consolidated tax levy rate still exceeds
31 these limitations, the certified property tax levy rates authorized
32 for fire protection districts under RCW 52.16.130, library
33 districts, metropolitan park districts under their first fifty cent

1 per thousand dollars of assessed valuation levy, and public
2 hospital districts under their first fifty cent per thousand
3 dollars of assessed valuation levy, shall be reduced on a pro rata
4 basis or eliminated.

5 **Sec. 5.** RCW 84.52.069 and 1991 c 175 s 1 are each amended to
6 read as follows:

7 (1) As used in this section, "taxing district" means a county,
8 emergency medical service district, city or town, public hospital
9 district, or fire protection district.

10 (2) A taxing district may impose additional regular property
11 tax levies in an amount equal to fifty cents or less per thousand
12 dollars of the assessed value of property in the taxing district in
13 each year for six consecutive years when specifically authorized so
14 to do by a majority of at least three-fifths of the registered
15 voters thereof approving a proposition authorizing the levies
16 submitted at a general or special election, at which election the
17 number of persons voting "yes" on the proposition shall constitute
18 three-fifths of a number equal to forty per centum of the total
19 votes cast in such taxing district at the last preceding general
20 election when the number of registered voters voting on the
21 proposition does not exceed forty per centum of the total votes
22 cast in such taxing district in the last preceding general
23 election; or by a majority of at least three-fifths of the
24 registered voters thereof voting on the proposition when the number
25 of registered voters voting on the proposition exceeds forty per
26 centum of the total votes cast in such taxing district in the last
27 preceding general election. Ballot propositions shall conform with
28 RCW 29.30.111.

29 (3) Any tax imposed under this section shall be used only for
30 the provision of emergency medical care or emergency medical
31 services, including related personnel costs, training for such
32 personnel, and related equipment, supplies, vehicles and structures

1 needed for the provision of emergency medical care or emergency
2 medical services.

3 (4) If a county levies a tax under this section, no taxing
4 district within the county may levy a tax under this section. No
5 other taxing district may levy a tax under this section if another
6 taxing district has levied a tax under this section within its
7 boundaries: PROVIDED, That if a county levies less than fifty
8 cents per thousand dollars of the assessed value of property, then
9 any other taxing district may levy a tax under this section equal
10 to the difference between the rate of the levy by the county and
11 fifty cents: PROVIDED FURTHER, That if a taxing district within a
12 county levies this tax, and the voters of the county subsequently
13 approve a levying of this tax, then the amount of the taxing
14 district levy within the county shall be reduced, when the combined
15 levies exceed fifty cents. Whenever a tax is levied county-wide,
16 the service shall, insofar as is feasible, be provided throughout
17 the county: PROVIDED FURTHER, That no county-wide levy proposal
18 may be placed on the ballot without the approval of the legislative
19 authority of each city exceeding fifty thousand population within
20 the county: AND PROVIDED FURTHER, That this section and RCW
21 36.32.480 shall not prohibit any city or town from levying an
22 annual excess levy to fund emergency medical services: AND
23 PROVIDED, FURTHER, That if a county proposes to impose tax levies
24 under this section, no other ballot proposition authorizing tax
25 levies under this section by another taxing district in the county
26 may be placed before the voters at the same election at which the
27 county ballot proposition is placed: AND PROVIDED FURTHER, That
28 any taxing district emergency medical service levy that is
29 authorized subsequent to a county emergency medical service levy,
30 shall expire concurrently with the county emergency medical service
31 levy.

32 (5) The tax levy authorized in this section is in addition to
33 the tax levy authorized in RCW 84.52.043.

1 (6) The limitation in RCW 84.55.010 shall not apply to the
2 first levy imposed pursuant to this section following the approval
3 of such levy by the voters pursuant to subsection (2) of this
4 section.

5 (~~(7) No taxing district may levy under this section more than~~
6 ~~twenty five cents per thousand dollars of assessed value of~~
7 ~~property if reductions under RCW 84.52.010(2) are made for the year~~
8 ~~within the boundaries of the taxing district.))"~~

EFFECT: Inserts the language of ESHB 1562 where the taxes are required to be approved by a majority vote. Makes a technical internal reference correction.