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**SUBSTITUTE HOUSE BILL 1340**

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**State of Washington**

**53rd Legislature**

**1993 Regular Session**

**By** House Committee on Local Government (originally sponsored by Representatives Rayburn, H. Myers, Springer, Edmondson, Lemmon and Hansen)

Read first time 02/17/93.

1 AN ACT Relating to public facilities districts; and amending RCW  
2 36.100.010, 36.100.030, and 82.14.048.

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

4 **Sec. 1.** RCW 36.100.010 and 1989 1st ex.s. c 8 s 1 are each amended  
5 to read as follows:

6 (1) A public facilities district may be created in any county with  
7 three hundred thousand or more population that is located more than one  
8 hundred miles from any county in which the state has constructed and  
9 owns a convention center. In addition, a public facilities district  
10 may be created in a county with a population of more than one hundred  
11 ninety thousand, but less than three hundred thousand, with a county  
12 seat that is located more than one hundred miles from the county seat  
13 of a county in which the state has constructed and owns a convention  
14 center. Further, a public facilities district may be created in any  
15 other county with a population of two hundred thousand or more that is  
16 adjacent to a county with a population of one million or more. A  
17 public facilities district shall be coextensive with the boundaries of  
18 the county.

1 (2) A public facilities district shall be created upon adoption of  
2 a resolution providing for the creation of such a district by the  
3 county legislative authority in which the proposed district is located  
4 and the city council of the largest city within such county.

5 (3) A public facilities district is a municipal corporation, an  
6 independent taxing "authority" within the meaning of Article VII,  
7 section 1 of the state Constitution, and a "taxing district" within the  
8 meaning of Article VII, section 2 of the state Constitution.

9 (4) No taxes authorized under this chapter may be assessed or  
10 levied unless a majority of the voters of the public facilities  
11 district has validated the creation of the public facilities district  
12 at a general or special election.

13 (5) A public facilities district shall constitute a body corporate  
14 and shall possess all the usual powers of a corporation for public  
15 purposes as well as all other powers that may now or hereafter be  
16 specifically conferred by statute, including, but not limited to, the  
17 authority to hire employees, staff, and services, to enter into  
18 contracts, and to sue and be sued.

19 **Sec. 2.** RCW 36.100.030 and 1989 1st ex.s. c 8 s 3 are each amended  
20 to read as follows:

21 (1) A public facilities district that is located in a county with  
22 three hundred thousand or more population that is located more than one  
23 hundred miles from any county in which the state has constructed and  
24 owns a convention center is authorized to acquire, construct, own,  
25 maintain, and operate sports and entertainment facilities with  
26 contiguous parking facilities. Any public facilities district with a  
27 population of more than one hundred ninety thousand, but less than  
28 three hundred thousand, with a county seat that is located more than  
29 one hundred miles from the county seat of a county in which the state  
30 has constructed and owns a state convention center, is authorized to  
31 acquire, construct, own, maintain, and operate convention center  
32 facilities with contiguous parking facilities and may acquire, own,  
33 maintain, and operate historic theaters with contiguous parking  
34 facilities. Any public facilities district with a population of two  
35 hundred thousand or more than is adjacent to a county with a population  
36 of one million or more may acquire, own, remodel, maintain, and operate  
37 historic theaters with contiguous parking facilities.

1       (2) A public facilities district may impose charges and fees for  
2 the use of its facilities, and may accept and expend or use gifts,  
3 grants, and donations. The taxes that are provided for in this chapter  
4 may only be imposed (~~((for such purposes))~~) to finance the facilities  
5 that the particular public facilities district is authorized to  
6 provide.

7       **Sec. 3.** RCW 82.14.048 and 1991 c 207 s 1 are each amended to read  
8 as follows:

9       The governing board of a public facilities district under chapter  
10 36.100 RCW may submit an authorizing proposition to the voters of the  
11 district, and if the proposition is approved by a majority of persons  
12 voting, fix and impose a sales and use tax in accordance with the terms  
13 of this chapter.

14       The tax authorized in this section shall be in addition to any  
15 other taxes authorized by law and shall be collected from those persons  
16 who are taxable by the state under chapters 82.08 and 82.12 RCW upon  
17 the occurrence of any taxable event within the public facilities  
18 district. The rate of tax shall equal one-tenth of one percent of the  
19 selling price in the case of a sales tax, or value of the article used,  
20 in the case of a use tax.

21       Moneys received from any tax imposed under this section shall be  
22 used for the purpose of providing funds for the costs associated with  
23 the financing, design, acquisition, construction, equipping, operating,  
24 maintaining, and reequipping of (~~((sports or entertainment facilities~~  
25 ~~and contiguous parking))~~) the facilities that the particular public  
26 facilities district is authorized to provide.

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