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SENATE BILL 5406

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State of Washington

53rd Legislature

1993 Regular Session

By Senators McCaslin and Erwin

Read first time 01/27/93. Referred to Committee on Government Operations.

1 AN ACT Relating to law enforcement service districts; and adding a  
2 new chapter to Title 36 RCW.

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

4 NEW SECTION. **Sec. 1.** One or more law enforcement service  
5 districts may be created in the unincorporated area of a county to  
6 finance the provision of additional levels of law enforcement as  
7 provided in this chapter. A law enforcement service district is a  
8 quasi-municipal corporation and shall possess all the usual powers of  
9 a corporation for public purposes. The county legislative authority  
10 shall be the governing body of a law enforcement service district, and  
11 the county treasurer shall act as the ex officio treasurer of the  
12 service district. The voters of a law enforcement service district  
13 shall be all registered voters residing in the service district.

14 NEW SECTION. **Sec. 2.** The creation of a law enforcement service  
15 district shall be initiated by either resolution of the county  
16 legislative authority, or petition of registered voters, proposing the  
17 creation of the service district. A petition shall be filed with the  
18 county legislative authority and must be signed by registered voters

1 residing in the proposed service district equal in number to at least  
2 ten percent of the voters voting within the boundaries of the proposed  
3 service district at the last general election. Both a petition and a  
4 resolution shall describe the boundaries of the proposed law  
5 enforcement service district.

6 The county legislative authority shall hold a public hearing on the  
7 proposed law enforcement service district if the petition includes  
8 sufficient valid signatures, or such a resolution is adopted. Notice  
9 of the public hearing shall be published, at least once, not less than  
10 ten days prior to the hearing in a newspaper of general circulation in  
11 the proposed service district. The county legislative authority shall  
12 hear objections from any affected person and may alter the proposed  
13 boundaries. If the county legislative authority adds additional areas  
14 to be included in the proposed service district, a further public  
15 hearing shall be held, with notice published as for the original public  
16 hearing.

17 A special election shall be called by the county legislative  
18 authority, at one of the dates specified in RCW 29.13.020, to authorize  
19 the establishment of the law enforcement service district and establish  
20 the maximum rate or rates of excise taxes that may be imposed by the  
21 service district, if after the public hearing the county legislative  
22 authority finds the creation of the service district to be in the  
23 public interest. The county legislative authority shall establish the  
24 maximum rate or rates and describe the particular excise tax or taxes,  
25 subject to limitations provided for in section 4 of this act. A single  
26 ballot proposition shall include language both authorizing the creation  
27 of the law enforcement service district and authorizing the service  
28 district to impose an excise tax or taxes up to a specified rate or  
29 rates equal to or less than those allowed in section 4 of this act.  
30 The law enforcement service district shall be established by resolution  
31 of the county legislative authority if this ballot proposition is  
32 approved by a simple majority of the voters voting on the proposition.  
33 This service district shall be authorized to impose the excise tax or  
34 taxes not to exceed the maximum rate or rates described in the ballot  
35 proposition.

36 NEW SECTION. **Sec. 3.** An unincorporated area adjacent to an  
37 existing law enforcement service district may be annexed to the service  
38 district. The process of such an annexation shall be in the same

1 manner as for the original creation of a law enforcement service  
2 district, with the ballot proposition describing a maximum rate or  
3 rates of excise taxes which is then authorized for the service  
4 district. Whenever territory located within a law enforcement service  
5 district is incorporated or annexed into a city or town, the area shall  
6 be removed from the law enforcement service district.

7 NEW SECTION. **Sec. 4.** The governing body of a law enforcement  
8 service district may submit a ballot proposition to the voters of the  
9 service district to authorize an increased maximum rate or rates of  
10 excise taxes, or a new excise tax not previously authorized. Approval  
11 of the ballot proposition shall be by simple majority of the voters  
12 voting on the ballot proposition.

13 NEW SECTION. **Sec. 5.** A law enforcement service district may  
14 impose excise taxes as follows, if authorized by the service district  
15 voters:

16 (1) An excise tax on households within the service district not to  
17 exceed five dollars per month per household; and

18 (2) An excise tax on businesses within the service district, not to  
19 exceed twenty-five dollars for a business per month.

20 A service district shall have full authority to establish  
21 reasonable classes of households or businesses and exempt one or more  
22 classes from the taxes or subject members of these classes to varying  
23 rates. The excise taxes shall be billed and collected at times and in  
24 the manner fixed and determined by the service district, which may  
25 include mailing the excise tax notices with the annual property tax  
26 statement and collecting the excise taxes at the same times property  
27 taxes are collected. A service district shall have a lien for  
28 delinquent excise taxes on the real property on which the business or  
29 household is located. The lien shall be subject to the same penalties  
30 and charges, and collection procedures as for delinquent water or sewer  
31 charges under chapter 36.94 RCW. Liens for these taxes shall be  
32 superior to all liens, except liens for general taxes.

33 Tax receipts received by a law enforcement service district shall  
34 be placed in a special fund to be used exclusively for financing the  
35 provision of additional levels of law enforcement in the service  
36 district.

1        NEW SECTION.    **Sec. 6.**    A law enforcement service district may not  
2 provide law enforcement services itself, but may contract with a county  
3 for the provision of additional levels of law enforcement within the  
4 service district.    The county sheriff shall be the chief law  
5 enforcement officer and shall be in charge of the law enforcement  
6 personnel in a law enforcement service district.

7        NEW SECTION.    **Sec. 7.**    Sections 1 through 6 of this act shall  
8 constitute a new chapter in Title 36 RCW.

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