

ESSB 5836 - H COMM AMD
By Committee on Local Government

ADOPTED 04/04/2007

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

3 "Sec. 1. RCW 35.13.270 and 2001 c 299 s 2 are each amended to read
4 as follows:

5 (1) Whenever any territory is annexed to a city or town which is
6 part of a road district of the county and road district taxes have been
7 levied but not collected on any property within the annexed territory,
8 the same shall when collected by the county treasurer be paid to the
9 city or town and by the city or town placed in the city or town street
10 fund; except that road district taxes that are delinquent before the
11 date of annexation shall be paid to the county and placed in the county
12 road fund. ((This section shall))

13 (2) When territory that is part of a fire district is annexed to a
14 city or town, the following apply:

15 (a) Fire district taxes on annexed property that were levied, but
16 not collected, and were not delinquent at the time of the annexation
17 shall, when collected, be paid to the annexing city or town at times
18 required by the county, but no less frequently than by July 10th for
19 collections through June 30th and January 10th for collections through
20 December 31st following the annexation; and

21 (b) Fire district taxes on annexed property that were levied, but
22 not collected, and were delinquent at the time of the annexation and
23 the pro rata share of the current year levy budgeted for general
24 obligation debt, when collected, shall be paid to the fire district.

25 (3) When territory that is part of a library district is annexed to
26 a city or town, the following apply:

27 (a) Library district taxes on annexed property that were levied,
28 but not collected, and were not delinquent at the time of the
29 annexation shall, when collected, be paid to the annexing city or town

1 at times required by the county, but no less frequently than by July
2 10th for collections through June 30th and January 10th for collections
3 through December 31st following the annexation; and

4 (b) Library district taxes on annexed property that were levied,
5 but not collected, and were delinquent at the time of the annexation
6 and the pro rata share of the current year levy budgeted for general
7 obligation debt, when collected, shall be paid to the library district.

8 (4) Subsections (1) through (3) of this section do not apply to any
9 special assessments due in behalf of such property.

10 (5) If a city or town annexes property within a fire district or
11 library district while any general obligation bond secured by the
12 taxing authority of the district is outstanding, the bonded
13 indebtedness of the fire district or library district remains an
14 obligation of the taxable property annexed as if the annexation had not
15 occurred.

16 (6) The city or town is required to provide notification, by
17 certified mail, that includes a list of annexed parcel numbers, to the
18 county treasurer and assessor, and to the fire district and library
19 district, as appropriate, at least thirty days before the effective
20 date of the annexation. The county treasurer is only required to remit
21 to the city or town those road taxes, fire district taxes, and library
22 district taxes collected thirty days or more after receipt of the
23 notification.

24 (7)(a) In counties that do not have a boundary review board, the
25 city or town shall provide notification to the fire district or library
26 district of the jurisdiction's resolution approving the annexation.
27 The notification required under this subsection must:

28 (i) Be made by certified mail within seven days of the resolution
29 approving the annexation; and

30 (ii) Include a description of the annexed area.

31 (b) In counties that have a boundary review board, the city or town
32 shall provide notification of the proposed annexation to the fire
33 district or library district simultaneously when notice of the proposed
34 annexation is provided by the jurisdiction to the boundary review board
35 under RCW 36.93.090.

36 (8) The provisions of this section regarding (a) the transfer of
37 fire and library district property taxes and (b) city and town
38 notifications to fire and library districts do not apply if the city or

1 town has been annexed to and is within the fire or library district
2 when the city or town approves a resolution to annex unincorporated
3 county territory.

4 **Sec. 2.** RCW 35A.14.801 and 2001 c 299 s 3 are each amended to read
5 as follows:

6 (1) Whenever any territory is annexed to a code city which is part
7 of a road district of the county and road district taxes have been
8 levied but not collected on any property within the annexed territory,
9 the same shall when collected by the county treasurer be paid to the
10 code city and by the city placed in the city street fund; except that
11 road district taxes that are delinquent before the date of annexation
12 shall be paid to the county and placed in the county road fund. ((This
13 section shall))

14 (2) When territory that is part of a fire district is annexed to a
15 code city, the following apply:

16 (a) Fire district taxes on annexed property that were levied, but
17 not collected, and were not delinquent at the time of the annexation
18 shall, when collected, be paid to the annexing code city at times
19 required by the county, but no less frequently than by July 10th for
20 collections through June 30th and January 10th for collections through
21 December 31st following the annexation; and

22 (b) Fire district taxes on annexed property that were levied, but
23 not collected, and were delinquent at the time of the annexation and
24 the pro rata share of the current year levy budgeted for general
25 obligation debt, when collected, shall be paid to the fire district.

26 (3) When territory that is part of a library district is annexed to
27 a code city, the following apply:

28 (a) Library district taxes on annexed property that were levied,
29 but not collected, and were not delinquent at the time of the
30 annexation shall, when collected, be paid to the annexing code city at
31 times required by the county, but no less frequently than by July 10th
32 for collections through June 30th and January 10th for collections
33 through December 31st following the annexation; and

34 (b) Library district taxes on annexed property that were levied,
35 but not collected, and were delinquent at the time of the annexation
36 and the pro rata share of the current year levy budgeted for general
37 obligation debt, when collected, shall be paid to the library district.

1 (4) Subsections (1) through (3) of this section do not apply to any
2 special assessments due in behalf of such property.

3 (5) If a code city annexes property within a fire district or
4 library district while any general obligation bond secured by the
5 taxing authority of the district is outstanding, the bonded
6 indebtedness of the fire district or library district remains an
7 obligation of the taxable property annexed as if the annexation had not
8 occurred.

9 (6) The code city is required to provide notification, by certified
10 mail, that includes a list of annexed parcel numbers, to the county
11 treasurer and assessor, and to the fire district and library district,
12 as appropriate, at least thirty days before the effective date of the
13 annexation. The county treasurer is only required to remit to the code
14 city those road taxes, fire district taxes, and library district taxes
15 collected thirty or more days after receipt of the notification.

16 (7)(a) In counties that do not have a boundary review board, the
17 code city shall provide notification to the fire district or library
18 district of the jurisdiction's resolution approving the annexation.
19 The notification required under this subsection must:

20 (i) Be made by certified mail within seven days of the resolution
21 approving the annexation; and

22 (ii) Include a description of the annexed area.

23 (b) In counties that have a boundary review board, the code city
24 shall provide notification of the proposed annexation to the fire
25 district or library district simultaneously when notice of the proposed
26 annexation is provided by the jurisdiction to the boundary review board
27 under RCW 36.93.090.

28 (8) The provisions of this section regarding (a) the transfer of
29 fire and library district property taxes and (b) code city
30 notifications to fire and library districts do not apply if the code
31 city has been annexed to and is within the fire or library district
32 when the code city approves a resolution to annex unincorporated county
33 territory.

34 **Sec. 3.** RCW 84.09.030 and 2004 c 129 s 19 are each amended to read
35 as follows:

36 Except as follows, the boundaries of counties, cities, and all
37 other taxing districts, for purposes of property taxation and the levy

1 of property taxes, shall be the established official boundaries of such
2 districts existing on the first day of (~~March~~) August of the year in
3 which the property tax levy is made.

4 The official boundaries of a newly incorporated taxing district
5 shall be established at a different date in the year in which the
6 incorporation occurred as follows:

7 (1) Boundaries for a newly incorporated city shall be established
8 on the last day of March of the year in which the initial property tax
9 levy is made, and the boundaries of a road district, library district,
10 or fire protection district or districts, that include any portion of
11 the area that was incorporated within its boundaries shall be altered
12 as of this date to exclude this area, if the budget for the newly
13 incorporated city is filed pursuant to RCW 84.52.020 and the levy
14 request of the newly incorporated city is made pursuant to RCW
15 84.52.070. Whenever a proposed city incorporation is on the March
16 special election ballot, the county auditor shall submit the legal
17 description of the proposed city to the department of revenue on or
18 before the first day of March;

19 (2) Boundaries for a newly incorporated port district or regional
20 fire protection service authority shall be established on the first day
21 of October if the boundaries of the newly incorporated port district or
22 regional fire protection service authority are coterminous with the
23 boundaries of another taxing district or districts, as they existed on
24 the first day of March of that year;

25 (3) Boundaries of any other newly incorporated taxing district
26 shall be established on the first day of June of the year in which the
27 property tax levy is made if the taxing district has boundaries
28 coterminous with the boundaries of another taxing district, as they
29 existed on the first day of March of that year;

30 (4) Boundaries for a newly incorporated water-sewer district shall
31 be established on the fifteenth of June of the year in which the
32 proposition under RCW 57.04.050 authorizing a water district excess
33 levy is approved.

34 The boundaries of a taxing district shall be established on the
35 first day of June if territory has been added to, or removed from, the
36 taxing district after the first day of March of that year with
37 boundaries coterminous with the boundaries of another taxing district
38 as they existed on the first day of March of that year. However, the

1 boundaries of a road district, library district, or fire protection
2 district or districts, that include any portion of the area that was
3 annexed to a city or town within its boundaries shall be altered as of
4 this date to exclude this area. In any case where any instrument
5 setting forth the official boundaries of any newly established taxing
6 district, or setting forth any change in such boundaries, is required
7 by law to be filed in the office of the county auditor or other county
8 official, said instrument shall be filed in triplicate. The officer
9 with whom such instrument is filed shall transmit two copies to the
10 county assessor.

11 No property tax levy shall be made for any taxing district whose
12 boundaries are not established as of the dates provided in this
13 section."

14 Correct the title.

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