

CERTIFICATION OF ENROLLMENT

SENATE BILL 5628

Chapter 365, Laws of 2011

62nd Legislature
2011 Regular Session

EMERGENCY MEDICAL SERVICES LEVY--EXEMPTION

EFFECTIVE DATE: 07/22/11

Passed by the Senate April 21, 2011
YEAS 46 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 7, 2011
YEAS 92 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved May 16, 2011, 2:54 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5628** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 17, 2011

**Secretary of State
State of Washington**

SENATE BILL 5628

AS AMENDED BY THE HOUSE

Passed Legislature - 2011 Regular Session

State of Washington **62nd Legislature** **2011 Regular Session**

By Senators Fain, Eide, Roach, and Litzow

Read first time 02/02/11. Referred to Committee on Ways & Means.

1 AN ACT Relating to a limited property tax exemption from the
2 emergency medical services levy; amending RCW 84.52.069; and creating
3 new sections.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that King county
6 currently imposes an emergency medical services levy throughout the
7 entire county. The legislature further finds that the city of Milton
8 is located partially within King and Pierce counties and the residents
9 of Milton within King county pay the county emergency medical services
10 levy. The legislature further finds that King county, through an
11 interlocal agreement with the city of Milton, has not provided
12 emergency medical services to the city for many years and instead has
13 remitted the county emergency medical services levy collected within
14 the city back to the city. The legislature further finds that the city
15 of Milton has collected only twenty cents per thousand dollars of
16 assessed valuation under its city emergency medical services levy, and
17 not the full fifty cents authorized by the city's voters, because state
18 law limits the city's levy, as well as any other taxing district's
19 emergency medical services levy, if the county also imposes the tax.

1 The legislature further finds that the city of Milton is exploring the
2 possibility of being annexed by a fire protection district located in
3 Pierce county; however, if the district annexes the entire city,
4 including the portion in King county, the district would have to lower
5 its emergency medical services levy as required under state law.

6 (2) It is the intent of the legislature to address this unusual
7 situation by excluding the portion of the city of Milton within King
8 county from the county emergency medical services levy. It is the
9 further intent of the legislature to clarify that a fire protection
10 district is able to levy the full amount of emergency medical services
11 levy otherwise allowed by law throughout the entire city.

12 **Sec. 2.** RCW 84.52.069 and 2004 c 129 s 23 are each amended to read
13 as follows:

14 (1) As used in this section, "taxing district" means a county,
15 emergency medical service district, city or town, public hospital
16 district, urban emergency medical service district, regional fire
17 protection service authority, or fire protection district.

18 (2) Except as provided in subsection (10) of this section, a taxing
19 district may impose additional regular property tax levies in an amount
20 equal to fifty cents or less per thousand dollars of the assessed value
21 of property in the taxing district. The tax shall be imposed (a) each
22 year for six consecutive years, (b) each year for ten consecutive
23 years, or (c) permanently. A tax levy under this section must be
24 specifically authorized by a majority of at least three-fifths of the
25 registered voters thereof approving a proposition authorizing the
26 levies submitted at a general or special election, at which election
27 the number of persons voting "yes" on the proposition shall constitute
28 three-fifths of a number equal to forty percent of the total number of
29 voters voting in such taxing district at the last preceding general
30 election when the number of registered voters voting on the proposition
31 does not exceed forty percent of the total number of voters voting in
32 such taxing district in the last preceding general election; or by a
33 majority of at least three-fifths of the registered voters thereof
34 voting on the proposition when the number of registered voters voting
35 on the proposition exceeds forty percent of the total number of voters
36 voting in such taxing district in the last preceding general election.

1 Ballot propositions (~~shall~~) must conform with RCW 29A.36.210. A
2 taxing district (~~shall~~) may not submit to the voters at the same
3 election multiple propositions to impose a levy under this section.

4 (3) A taxing district imposing a permanent levy under this section
5 shall provide for separate accounting of expenditures of the revenues
6 generated by the levy. The taxing district (~~shall~~) must maintain a
7 statement of the accounting which (~~shall~~) must be updated at least
8 every two years and (~~shall~~) must be available to the public upon
9 request at no charge.

10 (4)(a) A taxing district imposing a permanent levy under this
11 section (~~shall~~) must provide for a referendum procedure to apply to
12 the ordinance or resolution imposing the tax. This referendum
13 procedure (~~shall~~) must specify that a referendum petition may be
14 filed at any time with a filing officer, as identified in the ordinance
15 or resolution. Within ten days, the filing officer (~~shall~~) must
16 confer with the petitioner concerning form and style of the petition,
17 issue the petition an identification number, and secure an accurate,
18 concise, and positive ballot title from the designated local official.
19 The petitioner (~~shall have~~) has thirty days in which to secure the
20 signatures of not less than fifteen percent of the registered voters of
21 the taxing district, as of the last general election, upon petition
22 forms which contain the ballot title and the full text of the measure
23 to be referred. The filing officer (~~shall~~) must verify the
24 sufficiency of the signatures on the petition and, if sufficient valid
25 signatures are properly submitted, (~~shall~~) must certify the
26 referendum measure to the next election within the taxing district if
27 one is to be held within one hundred eighty days from the date of
28 filing of the referendum petition, or at a special election to be
29 called for that purpose in accordance with RCW 29A.04.330.

30 (b) The referendum procedure provided in this subsection (~~shall~~
31 ~~be~~) (4) is exclusive in all instances for any taxing district imposing
32 the tax under this section and (~~shall~~) supersedes the procedures
33 provided under all other statutory or charter provisions for initiative
34 or referendum which might otherwise apply.

35 (5) Any tax imposed under this section (~~shall~~) may be used only
36 for the provision of emergency medical care or emergency medical
37 services, including related personnel costs, training for such

1 personnel, and related equipment, supplies, vehicles and structures
2 needed for the provision of emergency medical care or emergency medical
3 services.

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

1 (7) The limitations in RCW 84.52.043 (~~shall~~) do not apply to the
2 tax levy authorized in this section.

3 (8) If a ballot proposition approved under subsection (2) of this
4 section did not impose the maximum allowable levy amount authorized for
5 the taxing district under this section, any future increase up to the
6 maximum allowable levy amount must be specifically authorized by the
7 voters in accordance with subsection (2) of this section at a general
8 or special election.

9 (9) The limitation in RCW 84.55.010 (~~shall~~) does not apply to the
10 first levy imposed pursuant to this section following the approval of
11 such levy by the voters pursuant to subsection (2) of this section.

12 For purposes of imposing the tax authorized under this
13 section, the boundary of a county with a population greater than one
14 million five hundred thousand does not include all of the area of the
15 county that is located within a city that has a boundary in two
16 counties, if the locally assessed value of all the property in the area
17 of the city within the county having a population greater than one
18 million five hundred thousand is less than two hundred fifty million
19 dollars.

20 (11) For purposes of this section, the following definitions apply:

21 (a) "Fire protection jurisdiction" means a fire protection
22 district, city, town, Indian tribe, or port district; and

23 (b) "Participating fire protection jurisdiction" means a fire
24 protection district, city, town, Indian tribe, or port district that is
25 represented on the governing board of a regional fire protection
26 service authority.

27 NEW SECTION. Sec. 3. This act applies to taxes levied for
28 collection in 2012 and thereafter.

Passed by the Senate April 21, 2011.

Passed by the House April 7, 2011.

Approved by the Governor May 16, 2011.

Filed in Office of Secretary of State May 17, 2011.