

---

HOUSE BILL 2193

---

State of Washington

65th Legislature

2017 Regular Session

By Representatives Orcutt, Harmsworth, Shea, Irwin, Pike, Young, Van Werven, Koster, Muri, and Schmick

Read first time 03/31/17. Referred to Committee on Finance.

1 AN ACT Relating to requiring the beneficiaries of the Alaskan Way  
2 viaduct project to pay for cost overruns from the project; amending  
3 RCW 46.68.090, 46.68.126, 66.08.190, 66.24.065, 69.50.540, 82.08.160,  
4 82.14.320, 82.14.330, 82.14.410, 84.52.043, and 84.52.043; reenacting  
5 and amending RCW 84.52.010 and 84.52.010; adding a new section to  
6 chapter 82.14 RCW; adding a new section to chapter 84.52 RCW;  
7 creating new sections; providing an effective date; and providing an  
8 expiration date.

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

10 NEW SECTION. **Sec. 1.** The legislature finds that the Alaskan Way  
11 viaduct replacement project has experienced significant delays and  
12 unanticipated costs. The state has committed substantial financial  
13 resources to the project. The legislature further finds that, per RCW  
14 47.01.402(6)(b), it was made clear from the outset that the state's  
15 contribution was not to exceed two billion four hundred million  
16 dollars. Therefore, it is the intent of the legislature to ensure  
17 that the state will not bear additional costs related to the project  
18 by providing taxing authority to the city of Seattle to generate  
19 sufficient local revenue to pay for cost overruns in the event that  
20 the state or the city is found liable for these overruns.

1       **Sec. 2.** RCW 46.68.090 and 2015 3rd sp.s. c 44 s 105 are each  
2 amended to read as follows:

3       (1) All moneys that have accrued or may accrue to the motor  
4 vehicle fund from the fuel tax must be first expended for purposes  
5 enumerated in (a) and (b) of this subsection. The remaining net tax  
6 amount must be distributed monthly by the state treasurer in  
7 accordance with subsections (2) through (8) of this section.

8       (a) For payment of refunds of fuel tax that has been paid and is  
9 refundable as provided by law;

10       (b) For payment of amounts to be expended pursuant to  
11 appropriations for the administrative expenses of the offices of  
12 state treasurer, state auditor, and the department of licensing of  
13 the state of Washington in the administration of the fuel tax, which  
14 sums must be distributed monthly.

15       (2) All of the remaining net tax amount collected under RCW  
16 82.38.030(1) must be distributed as set forth in (a) through (j) of  
17 this subsection.

18       (a) For distribution to the motor vehicle fund an amount equal to  
19 44.387 percent to be expended for highway purposes of the state as  
20 defined in RCW 46.68.130;

21       (b)(i) For distribution to the special category C account, hereby  
22 created in the motor vehicle fund, an amount equal to 3.2609 percent  
23 to be expended for special category C projects. Special category C  
24 projects are category C projects that, due to high cost only, will  
25 require bond financing to complete construction.

26       (ii) The following criteria, listed in order of priority, must be  
27 used in determining which special category C projects have the  
28 highest priority:

29       (A) Accident experience;

30       (B) Fatal accident experience;

31       (C) Capacity to move people and goods safely and at reasonable  
32 speeds without undue congestion; and

33       (D) Continuity of development of the highway transportation  
34 network.

35       (iii) Moneys deposited in the special category C account in the  
36 motor vehicle fund may be used for payment of debt service on bonds  
37 the proceeds of which are used to finance special category C projects  
38 under this subsection (2)(b);

39       (c) For distribution to the Puget Sound ferry operations account  
40 in the motor vehicle fund an amount equal to 2.3283 percent;

1 (d) For distribution to the Puget Sound capital construction  
2 account in the motor vehicle fund an amount equal to 2.3726 percent;

3 (e) For distribution to the transportation improvement account in  
4 the motor vehicle fund an amount equal to 7.5597 percent;

5 (f) For distribution to the transportation improvement account in  
6 the motor vehicle fund an amount equal to 5.6739 percent and expended  
7 in accordance with RCW 47.26.086;

8 (g) For distribution to the cities and towns from the motor  
9 vehicle fund an amount equal to 10.6961 percent in accordance with  
10 RCW 46.68.110;

11 (h) For distribution to the counties from the motor vehicle fund  
12 an amount equal to 19.2287 percent: (i) Out of which there must be  
13 distributed from time to time, as directed by the department of  
14 transportation, those sums as may be necessary to carry out the  
15 provisions of RCW 47.56.725; and (ii) less any amounts appropriated  
16 to the county road administration board to implement the provisions  
17 of RCW 47.56.725(4), with the balance of such county share to be  
18 distributed monthly as the same accrues for distribution in  
19 accordance with RCW 46.68.120;

20 (i) For distribution to the county arterial preservation account,  
21 hereby created in the motor vehicle fund an amount equal to 1.9565  
22 percent. These funds must be distributed by the county road  
23 administration board to counties in proportions corresponding to the  
24 number of paved arterial lane miles in the unincorporated area of  
25 each county and must be used for improvements to sustain the  
26 structural, safety, and operational integrity of county arterials.  
27 The county road administration board must adopt reasonable rules and  
28 develop policies to implement this program and to assure that a  
29 pavement management system is used;

30 (j) For distribution to the rural arterial trust account in the  
31 motor vehicle fund an amount equal to 2.5363 percent and expended in  
32 accordance with RCW 36.79.020.

33 (3) The remaining net tax amount collected under RCW 82.38.030(2)  
34 must be distributed to the transportation 2003 account (nickel  
35 account).

36 (4) The remaining net tax amount collected under RCW 82.38.030(3)  
37 must be distributed as follows:

38 (a) 8.3333 percent must be distributed to the incorporated cities  
39 and towns of the state in accordance with RCW 46.68.110;

1 (b) 8.3333 percent must be distributed to counties of the state  
2 in accordance with RCW 46.68.120; and

3 (c) The remainder must be distributed to the transportation  
4 partnership account created in RCW 46.68.290.

5 (5) The remaining net tax amount collected under RCW 82.38.030(4)  
6 must be distributed as follows:

7 (a) 8.3333 percent must be distributed to the incorporated cities  
8 and towns of the state in accordance with RCW 46.68.110;

9 (b) 8.3333 percent must be distributed to counties of the state  
10 in accordance with RCW 46.68.120; and

11 (c) The remainder must be distributed to the transportation  
12 partnership account created in RCW 46.68.290.

13 (6) The remaining net tax amount collected under RCW 82.38.030  
14 (5) and (6) must be distributed to the transportation partnership  
15 account created in RCW 46.68.290.

16 (7) The remaining net tax amount collected under RCW 82.38.030  
17 (7) and (8) must be distributed to the connecting Washington account  
18 created in RCW 46.68.395.

19 (8) Nothing in this section or in RCW 46.68.130 may be construed  
20 so as to violate any terms or conditions contained in any highway  
21 construction bond issues now or hereafter authorized by statute and  
22 whose payment is by such statute pledged to be paid from any excise  
23 taxes on fuel.

24 (9) No funds may be distributed to the city of Seattle under this  
25 section unless the city has adopted one of the taxing options as  
26 authorized by sections 8 and 12 of this act to pay for Alaskan Way  
27 viaduct replacement project cost overruns.

28 (a) Any funds that would otherwise be distributed to the city of  
29 Seattle must instead be transferred to the transportation partnership  
30 account—state in the Washington state department of transportation's  
31 highway improvements program.

32 (b) This subsection (9) is contingent upon findings by a court of  
33 competent jurisdiction, in a judgment not subject to review, that  
34 cost overruns related to the Alaskan Way viaduct replacement project  
35 are the responsibility of the Washington state department of  
36 transportation or the city of Seattle.

37 **Sec. 3.** RCW 46.68.126 and 2015 3rd sp.s. c 44 s 331 are each  
38 amended to read as follows:

1 (1) The state treasurer shall make four equal distributions by  
2 the last day of September, December, March, and June of each fiscal  
3 year to cities and counties based on the following allocations:

4 (a) For fiscal years 2016 and 2017, five million four hundred  
5 sixty-nine thousand dollars from the motor vehicle fund created under  
6 RCW 46.68.070 and six million two hundred fifty thousand dollars from  
7 the multimodal transportation account created under RCW 47.66.070.

8 (b) For fiscal year 2018 and thereafter, eleven million seven  
9 hundred nineteen thousand dollars from the motor vehicle fund created  
10 under RCW 46.68.070 and thirteen million three hundred ninety-three  
11 thousand dollars from the multimodal transportation account created  
12 under RCW 47.66.070.

13 (2) The amounts provided in subsection (1)(a) and (b) of this  
14 section must be proportioned evenly between cities and counties.  
15 Funds credited to cities must be distributed under RCW 46.68.110(4).  
16 Funds credited to counties must be allocated under RCW 46.68.120(4).

17 (3) No funds may be distributed to the city of Seattle under this  
18 section unless the city has adopted one of the taxing options as  
19 authorized by sections 8 and 12 of this act to pay for Alaskan Way  
20 viaduct replacement project cost overruns.

21 (a) Any funds that would otherwise be distributed to the city of  
22 Seattle must instead be transferred to the transportation partnership  
23 account—state in the Washington state department of transportation's  
24 highway improvements program.

25 (b) This subsection (3) is contingent upon findings by a court of  
26 competent jurisdiction, in a judgment not subject to review, that  
27 cost overruns related to the Alaskan Way viaduct replacement project  
28 are the responsibility of the Washington state department of  
29 transportation or the city of Seattle.

30 **Sec. 4.** RCW 66.08.190 and 2012 2nd sp.s. c 5 s 8 are each  
31 amended to read as follows:

32 (1) Prior to making distributions described in subsection (2) of  
33 this section, amounts must be retained to support allotments under  
34 RCW 43.88.110 from any legislative appropriation for municipal  
35 research and services. The legislative appropriation for such  
36 services must be in the amount specified under RCW 66.24.065.

37 (2) When excess funds are distributed during the months of June,  
38 September, December, and March of each year, all moneys subject to

1 distribution must be disbursed to border areas, counties, cities, and  
2 towns as provided in RCW 66.24.065.

3 (3) The amount remaining after distributions under subsections  
4 (1) and (2) of this section must be deposited into the general fund.

5 (4) No funds may be distributed to the city of Seattle under this  
6 section unless the city has adopted one of the taxing options as  
7 authorized by sections 8 and 12 of this act to pay for Alaskan Way  
8 viaduct replacement project cost overruns.

9 (a) Any funds that would otherwise be distributed to the city of  
10 Seattle must instead be transferred to the transportation partnership  
11 account—state in the Washington state department of transportation's  
12 highway improvements program.

13 (b) This subsection (4) is contingent upon findings by a court of  
14 competent jurisdiction, in a judgment not subject to review, that  
15 cost overruns related to the Alaskan Way viaduct replacement project  
16 are the responsibility of the Washington state department of  
17 transportation or the city of Seattle.

18 **Sec. 5.** RCW 66.24.065 and 2012 c 2 s 302 are each amended to  
19 read as follows:

20 (1) The distribution of spirits license fees under RCW 66.24.630  
21 and 66.24.055 through the liquor revolving fund to border areas,  
22 counties, cities, towns, and the municipal research center must be  
23 made in a manner that provides that each category of recipients  
24 receive, in the aggregate, no less than it received from the liquor  
25 revolving fund during comparable periods prior to December 8, 2011.  
26 An additional distribution of ten million dollars per year from the  
27 spirits license fees must be provided to border areas, counties,  
28 cities, and towns through the liquor revolving fund for the purpose  
29 of enhancing public safety programs.

30 (2) No funds may be distributed to the city of Seattle under this  
31 section unless the city has adopted one of the taxing options as  
32 authorized by sections 8 and 12 of this act to pay for Alaskan Way  
33 viaduct replacement project cost overruns.

34 (a) Any funds that would otherwise be distributed to the city of  
35 Seattle must instead be transferred to the transportation partnership  
36 account—state in the Washington state department of transportation's  
37 highway improvements program.

38 (b) This subsection (2) is contingent upon findings by a court of  
39 competent jurisdiction, in a judgment not subject to review, that

1 cost overruns related to the Alaskan Way viaduct replacement project  
2 are the responsibility of the Washington state department of  
3 transportation or the city of Seattle.

4 **Sec. 6.** RCW 69.50.540 and 2015 3rd sp.s. c 4 s 967 are each  
5 amended to read as follows:

6 The legislature must annually appropriate moneys in the dedicated  
7 marijuana account created in RCW 69.50.530 as follows:

8 (1) For the purposes listed in this subsection (1), the  
9 legislature must appropriate to the respective agencies amounts  
10 sufficient to make the following expenditures on a quarterly basis:

11 (a) Beginning July 1, 2015, one hundred twenty-five thousand  
12 dollars to the department of social and health services to design and  
13 administer the Washington state healthy youth survey, analyze the  
14 collected data, and produce reports, in collaboration with the office  
15 of the superintendent of public instruction, department of health,  
16 department of commerce, family policy council, and state liquor and  
17 cannabis board. The survey must be conducted at least every two years  
18 and include questions regarding, but not necessarily limited to,  
19 academic achievement, age at time of substance use initiation,  
20 antisocial behavior of friends, attitudes toward antisocial behavior,  
21 attitudes toward substance use, laws and community norms regarding  
22 antisocial behavior, family conflict, family management, parental  
23 attitudes toward substance use, peer rewarding of antisocial  
24 behavior, perceived risk of substance use, and rebelliousness. Funds  
25 disbursed under this subsection may be used to expand administration  
26 of the healthy youth survey to student populations attending  
27 institutions of higher education in Washington;

28 (b) Beginning July 1, 2015, fifty thousand dollars to the  
29 department of social and health services for the purpose of  
30 contracting with the Washington state institute for public policy to  
31 conduct the cost-benefit evaluation and produce the reports described  
32 in RCW 69.50.550. This appropriation ends after production of the  
33 final report required by RCW 69.50.550;

34 (c) Beginning July 1, 2015, five thousand dollars to the  
35 University of Washington alcohol and drug abuse institute for the  
36 creation, maintenance, and timely updating of web-based public  
37 education materials providing medically and scientifically accurate  
38 information about the health and safety risks posed by marijuana use;

1 (d) An amount not less than one million two hundred fifty  
2 thousand dollars to the state liquor and cannabis board for  
3 administration of this chapter as appropriated in the omnibus  
4 appropriations act;

5 (e) Twenty-three thousand seven hundred fifty dollars to the  
6 department of enterprise services provided solely for the state  
7 building code council established under RCW 19.27.070, to develop and  
8 adopt fire and building code provisions related to marijuana  
9 processing and extraction facilities. The distribution under this  
10 subsection (1)(e) is for fiscal year 2016 only;

11 (2) From the amounts in the dedicated marijuana account after  
12 appropriation of the amounts identified in subsection (1) of this  
13 section, the legislature must appropriate for the purposes listed in  
14 this subsection (2) as follows:

15 (a)(i) Up to fifteen percent to the department of social and  
16 health services division of behavioral health and recovery for the  
17 development, implementation, maintenance, and evaluation of programs  
18 and practices aimed at the prevention or reduction of maladaptive  
19 substance use, substance use disorder, substance abuse or substance  
20 dependence, as these terms are defined in the Diagnostic and  
21 Statistical Manual of Mental Disorders, among middle school and high  
22 school-age students, whether as an explicit goal of a given program  
23 or practice or as a consistently corresponding effect of its  
24 implementation, mental health services for children and youth, and  
25 services for pregnant and parenting women; PROVIDED, That:

26 (A) Of the funds appropriated under (a)(i) of this subsection for  
27 new programs and new services, at least eighty-five percent must be  
28 directed to evidence-based or research-based programs and practices  
29 that produce objectively measurable results and, by September 1,  
30 2020, are cost-beneficial; and

31 (B) Up to fifteen percent of the funds appropriated under (a)(i)  
32 of this subsection for new programs and new services may be directed  
33 to proven and tested practices, emerging best practices, or promising  
34 practices.

35 (ii) In deciding which programs and practices to fund, the  
36 secretary of the department of social and health services must  
37 consult, at least annually, with the University of Washington's  
38 social development research group and the University of Washington's  
39 alcohol and drug abuse institute.

1 (iii) For the fiscal year beginning July 1, 2016, the legislature  
2 must appropriate a minimum of twenty-seven million seven hundred  
3 eighty-six thousand dollars, and for each subsequent fiscal year  
4 thereafter, the legislature must appropriate a minimum of twenty-five  
5 million five hundred thirty-six thousand dollars under this  
6 subsection (2)(a);

7 (b)(i) Up to ten percent to the department of health for the  
8 following, subject to (b)(ii) of this subsection (2):

9 (A) Creation, implementation, operation, and management of a  
10 marijuana education and public health program that contains the  
11 following:

12 (I) A marijuana use public health hotline that provides referrals  
13 to substance abuse treatment providers, utilizes evidence-based or  
14 research-based public health approaches to minimizing the harms  
15 associated with marijuana use, and does not solely advocate an  
16 abstinence-only approach;

17 (II) A grants program for local health departments or other local  
18 community agencies that supports development and implementation of  
19 coordinated intervention strategies for the prevention and reduction  
20 of marijuana use by youth; and

21 (III) Media-based education campaigns across television,  
22 internet, radio, print, and out-of-home advertising, separately  
23 targeting youth and adults, that provide medically and scientifically  
24 accurate information about the health and safety risks posed by  
25 marijuana use;

26 (B) The Washington poison control center; and

27 (C) During the 2015-2017 fiscal biennium, the funds appropriated  
28 under this subsection (2)(b) may be used for prevention activities  
29 that target youth and populations with a high incidence of tobacco  
30 use.

31 (ii) For the fiscal year beginning July 1, 2016, the legislature  
32 must appropriate a minimum of seven million five hundred thousand  
33 dollars and for each subsequent fiscal year thereafter, the  
34 legislature must appropriate a minimum of nine million seven hundred  
35 fifty thousand dollars under this subsection (2)(b);

36 (c)(i) Up to six-tenths of one percent to the University of  
37 Washington and four-tenths of one percent to Washington State  
38 University for research on the short and long-term effects of  
39 marijuana use, to include but not be limited to formal and informal

1 methods for estimating and measuring intoxication and impairment, and  
2 for the dissemination of such research.

3 (ii) For the fiscal year beginning July 1, 2016, the legislature  
4 must appropriate a minimum of two hundred seven thousand dollars and  
5 for each subsequent fiscal year, the legislature must appropriate a  
6 minimum of one million twenty-one thousand dollars to the University  
7 of Washington. For the fiscal year beginning July 1, 2016, the  
8 legislature must appropriate a minimum of one hundred thirty-eight  
9 thousand dollars and for each subsequent fiscal year thereafter, a  
10 minimum of six hundred eighty-one thousand dollars to Washington  
11 State University under this subsection (2)(c);

12 (d) Fifty percent to the state basic health plan trust account to  
13 be administered by the Washington basic health plan administrator and  
14 used as provided under chapter 70.47 RCW;

15 (e) Five percent to the Washington state health care authority to  
16 be expended exclusively through contracts with community health  
17 centers to provide primary health and dental care services, migrant  
18 health services, and maternity health care services as provided under  
19 RCW 41.05.220;

20 (f)(i) Up to three-tenths of one percent to the office of the  
21 superintendent of public instruction to fund grants to building  
22 bridges programs under chapter 28A.175 RCW.

23 (ii) For the fiscal year beginning July 1, 2016, and each  
24 subsequent fiscal year, the legislature must appropriate a minimum of  
25 five hundred eleven thousand dollars to the office of the  
26 superintendent of public instruction under this subsection (2)(f);  
27 and

28 (g) At the end of each fiscal year, the treasurer must transfer  
29 any amounts in the dedicated marijuana account that are not  
30 appropriated pursuant to subsection (1) of this section and this  
31 subsection (2) into the general fund, except as provided in (g)(i) of  
32 this subsection (2).

33 (i) Beginning in fiscal year 2018, if marijuana excise tax  
34 collections deposited into the general fund in the prior fiscal year  
35 exceed twenty-five million dollars, then each fiscal year the  
36 legislature must appropriate an amount equal to thirty percent of all  
37 marijuana excise taxes deposited into the general fund the prior  
38 fiscal year to the treasurer for distribution to counties, cities,  
39 and towns as follows:

1 (A) Thirty percent must be distributed to counties, cities, and  
2 towns where licensed marijuana retailers are physically located. Each  
3 jurisdiction must receive a share of the revenue distribution under  
4 this subsection (2)(g)(i)(A) based on the proportional share of the  
5 total revenues generated in the individual jurisdiction from the  
6 taxes collected under RCW 69.50.535, from licensed marijuana  
7 retailers physically located in each jurisdiction. For purposes of  
8 this subsection (2)(g)(i)(A), one hundred percent of the proportional  
9 amount attributed to a retailer physically located in a city or town  
10 must be distributed to the city or town.

11 (B) Seventy percent must be distributed to counties, cities, and  
12 towns ratably on a per capita basis. Counties must receive sixty  
13 percent of the distribution, which must be disbursed based on each  
14 county's total proportional population. Funds may only be distributed  
15 to jurisdictions that do not prohibit the siting of any state  
16 licensed marijuana producer, processor, or retailer.

17 (ii) Distribution amounts allocated to each county, city, and  
18 town must be distributed in four installments by the last day of each  
19 fiscal quarter.

20 (iii) By September 15th of each year, the state liquor and  
21 cannabis board must provide the state treasurer the annual  
22 distribution amount, if any, for each county and city as determined  
23 in (g)(i) of this subsection (2).

24 (iv) The total share of marijuana excise tax revenues distributed  
25 to counties and cities in (g)(i) of this subsection (2) may not  
26 exceed fifteen million dollars in fiscal years 2018 and 2019 and  
27 twenty million dollars per fiscal year thereafter.

28 (v) No funds may be distributed to the city of Seattle under this  
29 subsection (2)(g) unless the city has adopted one of the taxing  
30 options as authorized by sections 8 and 12 of this act to pay for  
31 Alaskan Way viaduct replacement project cost overruns.

32 (A) Any funds that would otherwise be distributed to the city of  
33 Seattle must instead be transferred to the transportation partnership  
34 account—state in the Washington state department of transportation's  
35 highway improvements program.

36 (B) This subsection (2)(g)(v) is contingent upon findings by a  
37 court of competent jurisdiction, in a judgment not subject to review,  
38 that cost overruns related to the Alaskan Way viaduct replacement  
39 project are the responsibility of the Washington state department of  
40 transportation or the city of Seattle.

1 For the purposes of this section, "marijuana products" means  
2 "useable marijuana," "marijuana concentrates," and "marijuana-infused  
3 products" as those terms are defined in RCW 69.50.101.

4 **Sec. 7.** RCW 82.08.160 and 2015 3rd sp.s. c 4 s 975 are each  
5 amended to read as follows:

6 (1) On or before the twenty-fifth day of each month, all taxes  
7 collected under RCW 82.08.150 during the preceding month must be  
8 remitted to the state department of revenue, to be deposited with the  
9 state treasurer. Except as provided in subsections (2), (3), (4), and  
10 (5) of this section, upon receipt of such moneys the state treasurer  
11 must credit sixty-five percent of the sums collected and remitted  
12 under RCW 82.08.150 (1) and (2) and one hundred percent of the sums  
13 collected and remitted under RCW 82.08.150 (3) and (4) to the state  
14 general fund and thirty-five percent of the sums collected and  
15 remitted under RCW 82.08.150 (1) and (2) to a fund which is hereby  
16 created to be known as the "liquor excise tax fund."

17 (2) During the 2012 fiscal year, 66.19 percent of the sums  
18 collected and remitted under RCW 82.08.150 (1) and (2) must be  
19 deposited in the state general fund and the remainder collected and  
20 remitted under RCW 82.08.150 (1) and (2) must be deposited in the  
21 liquor excise tax fund.

22 (3) During fiscal year 2013, all funds collected under RCW  
23 82.08.150 (1), (2), (3), and (4) must be deposited into the state  
24 general fund.

25 (4) During the 2013-2015 fiscal biennium, seventy-seven and  
26 one-half percent of the sums collected and remitted under RCW  
27 82.08.150 (1) and (2) must be deposited in the state general fund,  
28 and the remainder collected and remitted under RCW 82.08.150 (1) and  
29 (2) must be deposited in the liquor excise tax fund. The amendments  
30 in (~~this~~) section 923, chapter 221, Laws of 2014 are curative,  
31 clarifying, and remedial and apply retroactively to July 1, 2013.

32 (5) During the 2015-2017 fiscal biennium, the liquor excise tax  
33 fund may be appropriated for the local government fiscal note program  
34 in the department of commerce. It is the intent of the legislature to  
35 continue these policies in the 2017-2019 fiscal biennium.

36 (6) No funds may be distributed to the city of Seattle under this  
37 section unless the city has adopted one of the taxing options as  
38 authorized by sections 8 and 12 of this act to pay for Alaskan Way  
39 viaduct replacement project cost overruns.

1       (a) Any funds that would otherwise be distributed to the city of  
2 Seattle must instead be transferred to the transportation partnership  
3 account—state in the Washington state department of transportation's  
4 highway improvements program.

5       (b) This subsection (6) is contingent upon findings by a court of  
6 competent jurisdiction, in a judgment not subject to review, that  
7 cost overruns related to the Alaskan Way viaduct replacement project  
8 are the responsibility of the Washington state department of  
9 transportation or the city of Seattle.

10       NEW SECTION. Sec. 8. A new section is added to chapter 82.14  
11 RCW to read as follows:

12       (1) The legislative authority of a city with a population greater  
13 than six hundred thousand may fix and impose a sales and use tax in  
14 accordance with the terms of this chapter. The tax is in addition to  
15 other taxes authorized by law and must be collected from those  
16 persons who are taxable by the state under chapters 82.08 and 82.12  
17 RCW upon the occurrence of any taxable event within the city. The  
18 rate of tax may not exceed 0.1 percent of the selling price in the  
19 case of a sales tax or the value of the article used in the case of a  
20 use tax.

21       (2)(a) Moneys collected under this section may only be used to  
22 finance the payment of cost overruns incurred as the result of the  
23 Alaskan Way viaduct replacement project authorized in RCW  
24 47.01.402(6)(b).

25       (b) When sufficient revenue to cover the payment as specified in  
26 this subsection has been generated by the tax authorized in this  
27 section, the city may no longer collect the tax. Any excess funds  
28 generated may be used only to pay for existing transportation  
29 projects.

30       (3) This section is contingent upon findings by a court of  
31 competent jurisdiction, in a judgment not subject to review, that  
32 cost overruns related to the Alaskan Way viaduct replacement project  
33 are the responsibility of the Washington state department of  
34 transportation or the city of Seattle.

35       (a) Upon such finding, the legislative authority authorized in  
36 this section must adopt the tax authorized by this section at its  
37 earliest next opportunity.

38       (b) In the event that the city does not meet the deadline in (a)  
39 of this subsection, distribution of state shared revenues thereto

1 authorized under RCW 48.68.090, 66.08.190, 66.24.065, 69.50.540,  
2 82.08.160, 82.14.320, and 82.14.330 must cease immediately. The  
3 revenues must instead be transferred to the transportation  
4 partnership account—state in the Washington state department of  
5 transportation's highway improvements program.

6 **Sec. 9.** RCW 82.14.320 and 2011 1st sp.s. c 50 s 971 are each  
7 amended to read as follows:

8 (1) The municipal criminal justice assistance account is created  
9 in the state treasury. Beginning in fiscal year 2000, the state  
10 treasurer must transfer into the municipal criminal justice  
11 assistance account for distribution under this section from the  
12 general fund the sum of four million six hundred thousand dollars  
13 divided into four equal deposits occurring on July 1, October 1,  
14 January 1, and April 1. For each fiscal year thereafter, the state  
15 treasurer must increase the total transfer by the fiscal growth  
16 factor, as defined in RCW 43.135.025, forecast for that fiscal year  
17 by the office of financial management in November of the preceding  
18 year.

19 (2) No city may receive a distribution under this section from  
20 the municipal criminal justice assistance account unless:

21 (a) The city has a crime rate in excess of one hundred twenty-  
22 five percent of the statewide average as calculated in the most  
23 recent annual report on crime in Washington state as published by the  
24 Washington association of sheriffs and police chiefs;

25 (b) The city has levied the tax authorized in RCW 82.14.030(2) at  
26 the maximum rate or the tax authorized in RCW 82.46.010(3) at the  
27 maximum rate; and

28 (c) The city has a per capita yield from the tax imposed under  
29 RCW 82.14.030(1) at the maximum rate of less than one hundred fifty  
30 percent of the statewide average per capita yield for all cities from  
31 such local sales and use tax.

32 (3) The moneys deposited in the municipal criminal justice  
33 assistance account for distribution under this section, less any  
34 moneys appropriated for purposes under subsection (7) of this  
35 section, must be distributed at such times as distributions are made  
36 under RCW 82.44.150. The distributions must be made as follows:

37 (a) Unless reduced by this subsection, thirty percent of the  
38 moneys must be distributed ratably based on population as last  
39 determined by the office of financial management to those cities

1 eligible under subsection (2) of this section that have a crime rate  
2 determined under subsection (2)(a) of this section which is greater  
3 than one hundred seventy-five percent of the statewide average crime  
4 rate. No city may receive more than fifty percent of any moneys  
5 distributed under this subsection (a) but, if a city distribution is  
6 reduced as a result of exceeding the fifty percent limitation, the  
7 amount not distributed must be distributed under (b) of this  
8 subsection.

9 (b) The remainder of the moneys, including any moneys not  
10 distributed in subsection (2)(a) of this section, must be distributed  
11 to all cities eligible under subsection (2) of this section ratably  
12 based on population as last determined by the office of financial  
13 management.

14 (4) No city may receive more than thirty percent of all moneys  
15 distributed under subsection (3) of this section.

16 (5) Notwithstanding other provisions of this section, the  
17 distributions to any city that substantially decriminalizes or  
18 repeals its criminal code after July 1, 1990, and that does not  
19 reimburse the county for costs associated with criminal cases under  
20 RCW 3.50.800 or 3.50.805(2), must be made to the county in which the  
21 city is located.

22 (6) Moneys distributed under this section must be expended  
23 exclusively for criminal justice purposes and may not be used to  
24 replace or supplant existing funding. Criminal justice purposes are  
25 defined as activities that substantially assist the criminal justice  
26 system, which may include circumstances where ancillary benefit to  
27 the civil justice system occurs, and which includes domestic violence  
28 services such as those provided by domestic violence programs,  
29 community advocates, and legal advocates, as defined in RCW  
30 70.123.020, and publications and public educational efforts designed  
31 to provide information and assistance to parents in dealing with  
32 runaway or at-risk youth. Existing funding for purposes of this  
33 subsection is defined as calendar year 1989 actual operating  
34 expenditures for criminal justice purposes. Calendar year 1989 actual  
35 operating expenditures for criminal justice purposes exclude the  
36 following: Expenditures for extraordinary events not likely to  
37 reoccur, changes in contract provisions for criminal justice  
38 services, beyond the control of the local jurisdiction receiving the  
39 services, and major nonrecurring capital expenditures.

1 (7) Not more than five percent of the funds deposited to the  
2 municipal criminal justice assistance account may be available for  
3 appropriations for enhancements to the state patrol crime laboratory  
4 system and the continuing costs related to these enhancements. Funds  
5 appropriated from this account for such enhancements may not supplant  
6 existing funds from the state general fund.

7 (8) During the 2011-2013 fiscal biennium, the amount that would  
8 otherwise be transferred into the municipal criminal justice  
9 assistance account from the general fund under subsection (1) of this  
10 section must be reduced by 3.4 percent.

11 (9) No funds may be distributed to the city of Seattle under this  
12 section unless the city has adopted one of the taxing options as  
13 authorized by sections 8 and 12 of this act to pay for Alaskan Way  
14 viaduct replacement project cost overruns.

15 (a) Any funds that would otherwise be distributed to the city of  
16 Seattle must instead be transferred to the transportation partnership  
17 account—state in the Washington state department of transportation's  
18 highway improvements program.

19 (b) This subsection (9) is contingent upon findings by a court of  
20 competent jurisdiction, in a judgment not subject to review, that  
21 cost overruns related to the Alaskan Way viaduct replacement project  
22 are the responsibility of the Washington state department of  
23 transportation or the city of Seattle.

24 **Sec. 10.** RCW 82.14.330 and 2011 1st sp.s. c 50 s 972 are each  
25 amended to read as follows:

26 (1)(a) Beginning in fiscal year 2000, the state treasurer must  
27 transfer into the municipal criminal justice assistance account for  
28 distribution under this section from the general fund the sum of four  
29 million six hundred thousand dollars divided into four equal deposits  
30 occurring on July 1, October 1, January 1, and April 1. For each  
31 fiscal year thereafter, the state treasurer must increase the total  
32 transfer by the fiscal growth factor, as defined in RCW 43.135.025,  
33 forecast for that fiscal year by the office of financial management  
34 in November of the preceding year. The moneys deposited in the  
35 municipal criminal justice assistance account for distribution under  
36 this section, less any moneys appropriated for purposes under  
37 subsection (4) of this section, must be distributed to the cities of  
38 the state as follows:

1 (i) Twenty percent appropriated for distribution must be  
2 distributed to cities with a three-year average violent crime rate  
3 for each one thousand in population in excess of one hundred fifty  
4 percent of the statewide three-year average violent crime rate for  
5 each one thousand in population. The three-year average violent crime  
6 rate must be calculated using the violent crime rates for each of the  
7 preceding three years from the annual reports on crime in Washington  
8 state as published by the Washington association of sheriffs and  
9 police chiefs. Moneys must be distributed under this subsection  
10 (1)(a) ratably based on population as last determined by the office  
11 of financial management, but no city may receive more than one dollar  
12 per capita. Moneys remaining undistributed under this subsection at  
13 the end of each calendar year must be distributed to the criminal  
14 justice training commission to reimburse participating city law  
15 enforcement agencies with ten or fewer full-time commissioned patrol  
16 officers the cost of temporary replacement of each officer who is  
17 enrolled in basic law enforcement training, as provided in RCW  
18 43.101.200.

19 (ii) Sixteen percent must be distributed to cities ratably based  
20 on population as last determined by the office of financial  
21 management, but no city may receive less than one thousand dollars.

22 (b) The moneys deposited in the municipal criminal justice  
23 assistance account for distribution under this subsection (1) must be  
24 distributed at such times as distributions are made under RCW  
25 82.44.150.

26 (c) Moneys distributed under this subsection (1) must be expended  
27 exclusively for criminal justice purposes and may not be used to  
28 replace or supplant existing funding. Criminal justice purposes are  
29 defined as activities that substantially assist the criminal justice  
30 system, which may include circumstances where ancillary benefit to  
31 the civil justice system occurs, and which includes domestic violence  
32 services such as those provided by domestic violence programs,  
33 community advocates, and legal advocates, as defined in RCW  
34 70.123.020. Existing funding for purposes of this subsection is  
35 defined as calendar year 1989 actual operating expenditures for  
36 criminal justice purposes. Calendar year 1989 actual operating  
37 expenditures for criminal justice purposes exclude the following:  
38 Expenditures for extraordinary events not likely to reoccur, changes  
39 in contract provisions for criminal justice services, beyond the

1 control of the local jurisdiction receiving the services, and major  
2 nonrecurring capital expenditures.

3 (2)(a) In addition to the distributions under subsection (1) of  
4 this section:

5 (i) Ten percent must be distributed on a per capita basis to  
6 cities that contract with another governmental agency for the  
7 majority of the city's law enforcement services. Cities that  
8 subsequently qualify for this distribution must notify the department  
9 of commerce by November 30th for the upcoming calendar year. The  
10 department of commerce must provide a list of eligible cities to the  
11 state treasurer by December 31st. The state treasurer must modify the  
12 distribution of these funds in the following year. Cities have the  
13 responsibility to notify the department of commerce of any changes  
14 regarding these contractual relationships. Adjustments in the  
15 distribution formula to add or delete cities may be made only for the  
16 upcoming calendar year; no adjustments may be made retroactively.

17 (ii) The remaining fifty-four percent must be distributed to  
18 cities and towns by the state treasurer on a per capita basis. These  
19 funds must be used for: (A) Innovative law enforcement strategies;  
20 (B) programs to help at-risk children or child abuse victim response  
21 programs; and (C) programs designed to reduce the level of domestic  
22 violence or to provide counseling for domestic violence victims.

23 (b) The moneys deposited in the municipal criminal justice  
24 assistance account for distribution under this subsection (2), less  
25 any moneys appropriated for purposes under subsection (4) of this  
26 section, must be distributed at the times as distributions are made  
27 under RCW 82.44.150. Moneys remaining undistributed under this  
28 subsection at the end of each calendar year must be distributed to  
29 the criminal justice training commission to reimburse participating  
30 city law enforcement agencies with ten or fewer full-time  
31 commissioned patrol officers the cost of temporary replacement of  
32 each officer who is enrolled in basic law enforcement training, as  
33 provided in RCW 43.101.200.

34 (c) If a city is found by the state auditor to have expended  
35 funds received under this subsection (2) in a manner that does not  
36 comply with the criteria under which the moneys were received, the  
37 city is ineligible to receive future distributions under this  
38 subsection (2) until the use of the moneys are justified to the  
39 satisfaction of the director or are repaid to the state general fund.

1 (3) Notwithstanding other provisions of this section, the  
2 distributions to any city that substantially decriminalizes or  
3 repeals its criminal code after July 1, 1990, and that does not  
4 reimburse the county for costs associated with criminal cases under  
5 RCW 3.50.800 or 3.50.805(2), must be made to the county in which the  
6 city is located.

7 (4) Not more than five percent of the funds deposited to the  
8 municipal criminal justice assistance account may be available for  
9 appropriations for enhancements to the state patrol crime laboratory  
10 system and the continuing costs related to these enhancements. Funds  
11 appropriated from this account for such enhancements may not supplant  
12 existing funds from the state general fund.

13 (5) During the 2011-2013 fiscal biennium, the amount that would  
14 otherwise be transferred into the municipal criminal justice  
15 assistance account from the general fund under subsection (1) of this  
16 section must be reduced by 3.4 percent.

17 (6) No funds may be distributed to the city of Seattle under this  
18 section unless the city has adopted one of the taxing options as  
19 authorized by sections 8 and 12 of this act to pay for Alaskan Way  
20 viaduct replacement project cost overruns.

21 (a) Any funds that would otherwise be distributed to the city of  
22 Seattle must instead be transferred to the transportation partnership  
23 account—state in the Washington state department of transportation's  
24 highway improvements program.

25 (b) This subsection (6) is contingent upon findings by a court of  
26 competent jurisdiction, in a judgment not subject to review, that  
27 cost overruns related to the Alaskan Way viaduct replacement project  
28 are the responsibility of the Washington state department of  
29 transportation or the city of Seattle.

30 **Sec. 11.** RCW 82.14.410 and 2015 3rd sp.s. c 24 s 704 are each  
31 amended to read as follows:

32 (1) A local sales and use tax change adopted after December 1,  
33 2000, must provide an exemption for those sales of lodging for which,  
34 but for the exemption, the total sales tax rate imposed on sales of  
35 lodging would exceed the greater of:

36 (a) Twelve percent; or

37 (b) The total sales tax rate that would have applied to the sale  
38 of lodging if the sale were made on December 1, 2000.

39 (2) For the purposes of this section:

1 (a) "Local sales and use tax change" is defined as provided in  
2 RCW 82.14.055.

3 (b) "Sale of lodging" means the sale of or charge made for the  
4 furnishing of lodging and all other services by a hotel, rooming  
5 house, tourist court, motel, trailer camp, and the granting of any  
6 similar license to use real property.

7 (c) "Total sales tax rate" means the combined rates of all state  
8 and local taxes imposed under this chapter and chapters 36.100,  
9 67.28, 67.40, and 82.08 RCW, and any other tax authorized after March  
10 29, 2001, if the tax is in the nature of a sales tax collected from  
11 the buyer, but excluding taxes imposed under RCW 81.104.170 before  
12 December 1, 2000, taxes imposed under section 8 of this act, and  
13 taxes imposed under RCW 82.14.530.

14 NEW SECTION. **Sec. 12.** A new section is added to chapter 84.52  
15 RCW to read as follows:

16 (1) The legislative authority of a city with a population of  
17 greater than six hundred thousand may impose an additional regular  
18 property tax levy in an amount not to exceed twenty-five cents per  
19 thousand dollars of the assessed value of property in the city in  
20 accordance with the terms of this section. The tax is imposed  
21 citywide unless a special taxing district is created as authorized in  
22 subsection (2) of this section.

23 (2) The legislative authority of a city with a population of  
24 greater than six hundred thousand may adopt an ordinance creating an  
25 independent taxing district in a portion of the area of the city. As  
26 provided in RCW 47.01.402(6)(b), the taxing district may be  
27 established to finance payment of cost overruns incurred as the  
28 result of the Alaskan Way viaduct replacement project by taxing  
29 property owners in the Seattle area who benefit from the replacement  
30 project.

31 (3)(a) Moneys collected under this section may only be used to  
32 finance the payment of cost overruns incurred as the result of the  
33 Alaskan Way viaduct replacement project authorized in RCW  
34 47.01.402(6)(b).

35 (b) When sufficient revenue to cover the payment as specified in  
36 this subsection has been generated by the levy authorized in this  
37 section, the city may no longer levy either tax authorized in this  
38 section. Any excess funds generated may be used only to pay for  
39 existing transportation projects.

1 (4) This section is contingent upon findings by a court of  
2 competent jurisdiction, in a judgment not subject to review, that  
3 cost overruns related to the Alaskan Way viaduct replacement project  
4 are the responsibility of the Washington state department of  
5 transportation or the city of Seattle.

6 (a) Upon such finding, the legislative authority authorized in  
7 this section must adopt the tax authorized by this section within  
8 ninety days and must implement the tax within one year.

9 (b) In the event that the city does not meet the deadline in (a)  
10 of this subsection, distribution of state shared revenues thereto  
11 authorized under RCW 48.68.090, 66.08.190, 66.24.065, 69.50.540,  
12 82.08.160, 82.14.320, and 82.14.330 must cease immediately. The  
13 revenues must instead be transferred to the transportation  
14 partnership account—state in the Washington state department of  
15 transportation's highway improvements program.

16 (5) The limitations in RCW 84.52.043 do not apply to the tax  
17 authorized in this section.

18 (6) The limitations in RCW 84.55.010 do not apply to the first  
19 tax levy imposed under this section.

20 **Sec. 13.** RCW 84.52.010 and 2015 3rd sp.s. c 44 s 324 and 2015  
21 3rd sp.s. c 24 s 404 are each reenacted and amended to read as  
22 follows:

23 (1) Except as is permitted under RCW 84.55.050, all taxes must be  
24 levied or voted in specific amounts.

25 (2) The rate percent of all taxes for state and county purposes,  
26 and purposes of taxing districts coextensive with the county, must be  
27 determined, calculated and fixed by the county assessors of the  
28 respective counties, within the limitations provided by law, upon the  
29 assessed valuation of the property of the county, as shown by the  
30 completed tax rolls of the county, and the rate percent of all taxes  
31 levied for purposes of taxing districts within any county must be  
32 determined, calculated and fixed by the county assessors of the  
33 respective counties, within the limitations provided by law, upon the  
34 assessed valuation of the property of the taxing districts  
35 respectively.

36 (3) When a county assessor finds that the aggregate rate of tax  
37 levy on any property, that is subject to the limitations set forth in  
38 RCW 84.52.043 or 84.52.050, exceeds the limitations provided in

1 either of these sections, the assessor must recompute and establish a  
2 consolidated levy in the following manner:

3 (a) The full certified rates of tax levy for state, county,  
4 county road district, regional transit authority, and city or town  
5 purposes, including any levy authorized under section 12 of this act,  
6 must be extended on the tax rolls in amounts not exceeding the  
7 limitations established by law; however any state levy takes  
8 precedence over all other levies and may not be reduced for any  
9 purpose other than that required by RCW 84.55.010. If, as a result of  
10 the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069,  
11 84.52.105, the portion of the levy by a metropolitan park district  
12 that was protected under RCW 84.52.120, 84.52.125, 84.52.135,  
13 84.52.140, and the protected portion of the levy under RCW 86.15.160  
14 by flood control zone districts in a county with a population of  
15 seven hundred seventy-five thousand or more that are coextensive with  
16 a county, the combined rate of regular property tax levies that are  
17 subject to the one percent limitation exceeds one percent of the true  
18 and fair value of any property, then these levies must be reduced as  
19 follows:

20 (i) The portion of the levy by a metropolitan park district that  
21 has a population of less than one hundred fifty thousand and is  
22 located in a county with a population of one million five hundred  
23 thousand or more that is protected under RCW 84.52.120 must be  
24 reduced until the combined rate no longer exceeds one percent of the  
25 true and fair value of any property or must be eliminated;

26 (ii) If the combined rate of regular property tax levies that are  
27 subject to the one percent limitation still exceeds one percent of  
28 the true and fair value of any property, the protected portion of the  
29 levy imposed under RCW 86.15.160 by a flood control zone district in  
30 a county with a population of seven hundred seventy-five thousand or  
31 more that is coextensive with a county must be reduced until the  
32 combined rate no longer exceeds one percent of the true and fair  
33 value of any property or must be eliminated;

34 (iii) If the combined rate of regular property tax levies that  
35 are subject to the one percent limitation still exceeds one percent  
36 of the true and fair value of any property, the levy imposed by a  
37 county under RCW 84.52.140 must be reduced until the combined rate no  
38 longer exceeds one percent of the true and fair value of any property  
39 or must be eliminated;

1 (iv) If the combined rate of regular property tax levies that are  
2 subject to the one percent limitation still exceeds one percent of  
3 the true and fair value of any property, the portion of the levy by a  
4 fire protection district that is protected under RCW 84.52.125 must  
5 be reduced until the combined rate no longer exceeds one percent of  
6 the true and fair value of any property or must be eliminated;

7 (v) If the combined rate of regular property tax levies that are  
8 subject to the one percent limitation still exceeds one percent of  
9 the true and fair value of any property, the levy imposed by a county  
10 under RCW 84.52.135 must be reduced until the combined rate no longer  
11 exceeds one percent of the true and fair value of any property or  
12 must be eliminated;

13 (vi) If the combined rate of regular property tax levies that are  
14 subject to the one percent limitation still exceeds one percent of  
15 the true and fair value of any property, the levy imposed by a ferry  
16 district under RCW 36.54.130 must be reduced until the combined rate  
17 no longer exceeds one percent of the true and fair value of any  
18 property or must be eliminated;

19 (vii) If the combined rate of regular property tax levies that  
20 are subject to the one percent limitation still exceeds one percent  
21 of the true and fair value of any property, the portion of the levy  
22 by a metropolitan park district with a population of one hundred  
23 fifty thousand or more that is protected under RCW 84.52.120 must be  
24 reduced until the combined rate no longer exceeds one percent of the  
25 true and fair value of any property or must be eliminated;

26 (viii) If the combined rate of regular property tax levies that  
27 are subject to the one percent limitation still exceeds one percent  
28 of the true and fair value of any property, then the levies imposed  
29 under RCW 84.34.230, 84.52.105, and any portion of the levy imposed  
30 under RCW 84.52.069 that is in excess of thirty cents per thousand  
31 dollars of assessed value, must be reduced on a pro rata basis until  
32 the combined rate no longer exceeds one percent of the true and fair  
33 value of any property or must be eliminated; and

34 (ix) If the combined rate of regular property tax levies that are  
35 subject to the one percent limitation still exceeds one percent of  
36 the true and fair value of any property, then the thirty cents per  
37 thousand dollars of assessed value of tax levy imposed under RCW  
38 84.52.069 must be reduced until the combined rate no longer exceeds  
39 one percent of the true and fair value of any property or must be  
40 eliminated.

1 (b) The certified rates of tax levy subject to these limitations  
2 by all junior taxing districts imposing taxes on such property must  
3 be reduced or eliminated as follows to bring the consolidated levy of  
4 taxes on such property within the provisions of these limitations:

5 (i) First, the certified property tax levy authorized under RCW  
6 84.52.821 must be reduced on a pro rata basis or eliminated;

7 (ii) Second, if the consolidated tax levy rate still exceeds  
8 these limitations, the certified property tax levy rates of those  
9 junior taxing districts authorized under RCW 36.68.525, 36.69.145,  
10 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or  
11 eliminated;

12 (iii) Third, if the consolidated tax levy rate still exceeds  
13 these limitations, the certified property tax levy rates of flood  
14 control zone districts other than the portion of a levy protected  
15 under RCW 84.52.815 must be reduced on a pro rata basis or  
16 eliminated;

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

25 (v) Fifth, if the consolidated tax levy rate still exceeds these  
26 limitations, the first fifty cent per thousand dollars of assessed  
27 valuation levies for metropolitan park districts created on or after  
28 January 1, 2002, must be reduced on a pro rata basis or eliminated;

29 (vi) Sixth, if the consolidated tax levy rate still exceeds these  
30 limitations, the certified property tax levy rates authorized to fire  
31 protection districts under RCW 52.16.140 and 52.16.160 and regional  
32 fire protection service authorities under RCW 52.26.140(1) (b) and  
33 (c) must be reduced on a pro rata basis or eliminated; and

34 (vii) Seventh, if the consolidated tax levy rate still exceeds  
35 these limitations, the certified property tax levy rates authorized  
36 for fire protection districts under RCW 52.16.130, regional fire  
37 protection service authorities under RCW 52.26.140(1)(a), library  
38 districts, metropolitan park districts created before January 1,  
39 2002, under their first fifty cent per thousand dollars of assessed  
40 valuation levy, and public hospital districts under their first fifty

1 cent per thousand dollars of assessed valuation levy, must be reduced  
2 on a pro rata basis or eliminated.

3 **Sec. 14.** RCW 84.52.010 and 2015 3rd sp.s. c 44 s 325 and 2015  
4 3rd sp.s. c 24 s 405 are each reenacted and amended to read as  
5 follows:

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

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

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

24 (a) The full certified rates of tax levy for state, county,  
25 county road district, regional transit authority, and city or town  
26 purposes, including any levy authorized under section 12 of this act,  
27 must be extended on the tax rolls in amounts not exceeding the  
28 limitations established by law; however any state levy takes  
29 precedence over all other levies and may not be reduced for any  
30 purpose other than that required by RCW 84.55.010. If, as a result of  
31 the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069,  
32 84.52.105, the portion of the levy by a metropolitan park district  
33 that was protected under RCW 84.52.120, 84.52.125, 84.52.135, and  
34 84.52.140, and the portion of the levy by a flood control zone  
35 district that was protected under RCW 84.52.816, the combined rate of  
36 regular property tax levies that are subject to the one percent  
37 limitation exceeds one percent of the true and fair value of any  
38 property, then these levies must be reduced as follows:

1 (i) The portion of the levy by a flood control zone district that  
2 was protected under RCW 84.52.816 must be reduced until the combined  
3 rate no longer exceeds one percent of the true and fair value of any  
4 property or must be eliminated;

5 (ii) If the combined rate of regular property tax levies that are  
6 subject to the one percent limitation still exceeds one percent of  
7 the true and fair value of any property, the levy imposed by a county  
8 under RCW 84.52.140 must be reduced until the combined rate no longer  
9 exceeds one percent of the true and fair value of any property or  
10 must be eliminated;

11 (iii) If the combined rate of regular property tax levies that  
12 are subject to the one percent limitation still exceeds one percent  
13 of the true and fair value of any property, the portion of the levy  
14 by a fire protection district that is protected under RCW 84.52.125  
15 must be reduced until the combined rate no longer exceeds one percent  
16 of the true and fair value of any property or must be eliminated;

17 (iv) If the combined rate of regular property tax levies that are  
18 subject to the one percent limitation still exceeds one percent of  
19 the true and fair value of any property, the levy imposed by a county  
20 under RCW 84.52.135 must be reduced until the combined rate no longer  
21 exceeds one percent of the true and fair value of any property or  
22 must be eliminated;

23 (v) If the combined rate of regular property tax levies that are  
24 subject to the one percent limitation still exceeds one percent of  
25 the true and fair value of any property, the levy imposed by a ferry  
26 district under RCW 36.54.130 must be reduced until the combined rate  
27 no longer exceeds one percent of the true and fair value of any  
28 property or must be eliminated;

29 (vi) If the combined rate of regular property tax levies that are  
30 subject to the one percent limitation still exceeds one percent of  
31 the true and fair value of any property, the portion of the levy by a  
32 metropolitan park district that is protected under RCW 84.52.120 must  
33 be reduced until the combined rate no longer exceeds one percent of  
34 the true and fair value of any property or must be eliminated;

35 (vii) If the combined rate of regular property tax levies that  
36 are subject to the one percent limitation still exceeds one percent  
37 of the true and fair value of any property, then the levies imposed  
38 under RCW 84.34.230, 84.52.105, and any portion of the levy imposed  
39 under RCW 84.52.069 that is in excess of thirty cents per thousand  
40 dollars of assessed value, must be reduced on a pro rata basis until

1 the combined rate no longer exceeds one percent of the true and fair  
2 value of any property or must be eliminated; and

3 (viii) If the combined rate of regular property tax levies that  
4 are subject to the one percent limitation still exceeds one percent  
5 of the true and fair value of any property, then the thirty cents per  
6 thousand dollars of assessed value of tax levy imposed under RCW  
7 84.52.069 must be reduced until the combined rate no longer exceeds  
8 one percent of the true and fair value of any property or eliminated.

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

13 (i) First, the certified property tax levy authorized under RCW  
14 84.52.821 must be reduced on a pro rata basis or eliminated;

15 (ii) Second, if the consolidated tax levy rate still exceeds  
16 these limitations, the certified property tax levy rates of those  
17 junior taxing districts authorized under RCW 36.68.525, 36.69.145,  
18 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or  
19 eliminated;

20 (iii) Third, if the consolidated tax levy rate still exceeds  
21 these limitations, the certified property tax levy rates of flood  
22 control zone districts other than the portion of a levy protected  
23 under RCW 84.52.816 must be reduced on a pro rata basis or  
24 eliminated;

25 (iv) Fourth, if the consolidated tax levy rate still exceeds  
26 these limitations, the certified property tax levy rates of all other  
27 junior taxing districts, other than fire protection districts,  
28 regional fire protection service authorities, library districts, the  
29 first fifty cent per thousand dollars of assessed valuation levies  
30 for metropolitan park districts, and the first fifty cent per  
31 thousand dollars of assessed valuation levies for public hospital  
32 districts, must be reduced on a pro rata basis or eliminated;

33 (v) Fifth, if the consolidated tax levy rate still exceeds these  
34 limitations, the first fifty cent per thousand dollars of assessed  
35 valuation levies for metropolitan park districts created on or after  
36 January 1, 2002, must be reduced on a pro rata basis or eliminated;

37 (vi) Sixth, if the consolidated tax levy rate still exceeds these  
38 limitations, the certified property tax levy rates authorized to fire  
39 protection districts under RCW 52.16.140 and 52.16.160 and regional

1 fire protection service authorities under RCW 52.26.140(1) (b) and  
2 (c) must be reduced on a pro rata basis or eliminated; and

3 (vii) Seventh, if the consolidated tax levy rate still exceeds  
4 these limitations, the certified property tax levy rates authorized  
5 for fire protection districts under RCW 52.16.130, regional fire  
6 protection service authorities under RCW 52.26.140(1)(a), library  
7 districts, metropolitan park districts created before January 1,  
8 2002, under their first fifty cent per thousand dollars of assessed  
9 valuation levy, and public hospital districts under their first fifty  
10 cent per thousand dollars of assessed valuation levy, must be reduced  
11 on a pro rata basis or eliminated.

12 **Sec. 15.** RCW 84.52.043 and 2015 3rd sp.s. c 44 s 322 are each  
13 amended to read as follows:

14 Within and subject to the limitations imposed by RCW 84.52.050 as  
15 amended, the regular ad valorem tax levies upon real and personal  
16 property by the taxing districts hereafter named are as follows:

17 (1) Levies of the senior taxing districts are as follows: (a) The  
18 levy by the state may not exceed three dollars and sixty cents per  
19 thousand dollars of assessed value adjusted to the state equalized  
20 value in accordance with the indicated ratio fixed by the state  
21 department of revenue to be used exclusively for the support of the  
22 common schools; (b) the levy by any county may not exceed one dollar  
23 and eighty cents per thousand dollars of assessed value; (c) the levy  
24 by any road district may not exceed two dollars and twenty-five cents  
25 per thousand dollars of assessed value; and (d) the levy by any city  
26 or town may not exceed three dollars and thirty-seven and one-half  
27 cents per thousand dollars of assessed value. However any county is  
28 hereby authorized to increase its levy from one dollar and eighty  
29 cents to a rate not to exceed two dollars and forty-seven and one-  
30 half cents per thousand dollars of assessed value for general county  
31 purposes if the total levies for both the county and any road  
32 district within the county do not exceed four dollars and five cents  
33 per thousand dollars of assessed value, and no other taxing district  
34 has its levy reduced as a result of the increased county levy.

35 (2) The aggregate levies of junior taxing districts and senior  
36 taxing districts, other than the state, may not exceed five dollars  
37 and ninety cents per thousand dollars of assessed valuation. The term  
38 "junior taxing districts" includes all taxing districts other than  
39 the state, counties, road districts, cities, towns, port districts,

1 and public utility districts. The limitations provided in this  
2 subsection do not apply to: (a) Levies at the rates provided by  
3 existing law by or for any port or public utility district; (b)  
4 excess property tax levies authorized in Article VII, section 2 of  
5 the state Constitution; (c) levies for acquiring conservation futures  
6 as authorized under RCW 84.34.230; (d) levies for emergency medical  
7 care or emergency medical services imposed under RCW 84.52.069; (e)  
8 levies to finance affordable housing for very low-income housing  
9 imposed under RCW 84.52.105; (f) the portions of levies by  
10 metropolitan park districts that are protected under RCW 84.52.120;  
11 (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies  
12 for criminal justice purposes under RCW 84.52.135; (i) the portions  
13 of levies by fire protection districts that are protected under RCW  
14 84.52.125; (j) levies by counties for transit-related purposes under  
15 RCW 84.52.140; (k) the protected portion of the levies imposed under  
16 RCW 86.15.160 by flood control zone districts in a county with a  
17 population of seven hundred seventy-five thousand or more that are  
18 coextensive with a county; ~~((and))~~ (l) levies imposed by a regional  
19 transit authority under RCW 81.104.175; and (m) levies imposed by a  
20 city under section 12 of this act.

21 **Sec. 16.** RCW 84.52.043 and 2015 3rd sp.s. c 44 s 323 are each  
22 amended to read as follows:

23 Within and subject to the limitations imposed by RCW 84.52.050 as  
24 amended, the regular ad valorem tax levies upon real and personal  
25 property by the taxing districts hereafter named are as follows:

26 (1) Levies of the senior taxing districts are as follows: (a) The  
27 levy by the state may not exceed three dollars and sixty cents per  
28 thousand dollars of assessed value adjusted to the state equalized  
29 value in accordance with the indicated ratio fixed by the state  
30 department of revenue to be used exclusively for the support of the  
31 common schools; (b) the levy by any county may not exceed one dollar  
32 and eighty cents per thousand dollars of assessed value; (c) the levy  
33 by any road district may not exceed two dollars and twenty-five cents  
34 per thousand dollars of assessed value; and (d) the levy by any city  
35 or town may not exceed three dollars and thirty-seven and one-half  
36 cents per thousand dollars of assessed value. However any county is  
37 hereby authorized to increase its levy from one dollar and eighty  
38 cents to a rate not to exceed two dollars and forty-seven and one-  
39 half cents per thousand dollars of assessed value for general county

1 purposes if the total levies for both the county and any road  
2 district within the county do not exceed four dollars and five cents  
3 per thousand dollars of assessed value, and no other taxing district  
4 has its levy reduced as a result of the increased county levy.

5 (2) The aggregate levies of junior taxing districts and senior  
6 taxing districts, other than the state, may not exceed five dollars  
7 and ninety cents per thousand dollars of assessed valuation. The term  
8 "junior taxing districts" includes all taxing districts other than  
9 the state, counties, road districts, cities, towns, port districts,  
10 and public utility districts. The limitations provided in this  
11 subsection do not apply to: (a) Levies at the rates provided by  
12 existing law by or for any port or public utility district; (b)  
13 excess property tax levies authorized in Article VII, section 2 of  
14 the state Constitution; (c) levies for acquiring conservation futures  
15 as authorized under RCW 84.34.230; (d) levies for emergency medical  
16 care or emergency medical services imposed under RCW 84.52.069; (e)  
17 levies to finance affordable housing for very low-income housing  
18 imposed under RCW 84.52.105; (f) the portions of levies by  
19 metropolitan park districts that are protected under RCW 84.52.120;  
20 (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies  
21 for criminal justice purposes under RCW 84.52.135; (i) the portions  
22 of levies by fire protection districts that are protected under RCW  
23 84.52.125; (j) levies by counties for transit-related purposes under  
24 RCW 84.52.140; (k) the portion of the levy by flood control zone  
25 districts that are protected under RCW 84.52.816; ~~((and))~~ (l) levies  
26 imposed by a regional transit authority under RCW 81.104.175; and (m)  
27 levies imposed by a city under section 12 of this act.

28 NEW SECTION. **Sec. 17.** Section 12 of this act applies to taxes  
29 levied for collection in 2018 and thereafter.

30 NEW SECTION. **Sec. 18.** Sections 13 and 15 of this act expire  
31 January 1, 2018.

32 NEW SECTION. **Sec. 19.** Sections 14 and 16 of this act take  
33 effect January 1, 2018.

--- END ---