

CERTIFICATION OF ENROLLMENT

SENATE BILL 6212

Chapter 253, Laws of 2020

66th Legislature
2020 Regular Session

AFFORDABLE HOUSING PROPERTY TAX LEVY--EXPANSION

EFFECTIVE DATE: October 1, 2020

Passed by the Senate February 19,
2020

Yeas 35 Nays 13

CYRUS HABIB

President of the Senate

Passed by the House March 6, 2020

Yeas 91 Nays 6

Laurie Jinkins

**Speaker of the House of
Representatives**

Approved March 31, 2020 11:15 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6212** as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

Secretary

FILED

March 31, 2020

**Secretary of State
State of Washington**

SENATE BILL 6212

Passed Legislature - 2020 Regular Session

State of Washington

66th Legislature

2020 Regular Session

By Senators Das, Keiser, Lovelett, Zeiger, Dhingra, Saldaña, Nguyen, Kuderer, Warnick, Randall, Darneille, Van De Wege, Conway, and Wilson, C.

Prefiled 01/10/20. Read first time 01/13/20. Referred to Committee on Housing Stability & Affordability.

1 AN ACT Relating to the authority of counties, cities, and towns
2 to exceed statutory property tax limitations for the purpose of
3 financing affordable housing for very low-income households and low-
4 income households; amending RCW 84.52.105 and 84.52.043; amending
5 1993 c 337 s 1 (uncodified); and providing an effective date.

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

7 **Sec. 1.** 1993 c 337 s 1 (uncodified) is amended to read as
8 follows:

9 The legislature finds that:

10 (1) Many very low-income and low-income residents of the state of
11 Washington are unable to afford housing that is decent, safe, and
12 appropriate to their living needs;

13 (2) Recent federal housing legislation conditions funding for
14 affordable housing on the availability of local matching funds;

15 (3) Current statutory debt limitations may impair the ability of
16 counties, cities, and towns to meet federal matching requirements
17 and, as a consequence, may impair the ability of such counties,
18 cities, and towns to develop appropriate and effective strategies to
19 increase the availability of safe, decent, and appropriate housing
20 that is affordable to very low-income households and low-income
21 households; and

1 (4) It is in the public interest to encourage counties, cities,
2 and towns to develop locally based affordable housing financing plans
3 designed to expand and preserve the availability of housing that is
4 decent, safe, affordable, and appropriate to the living needs of very
5 low-income households and low-income households of the counties,
6 cities, and towns.

7 **Sec. 2.** RCW 84.52.105 and 1995 c 318 s 10 are each amended to
8 read as follows:

9 (1) A county, city, or town may impose additional regular
10 property tax levies of up to fifty cents per thousand dollars of
11 assessed value of property in each year for up to ten consecutive
12 years to finance affordable housing for very low-income households,
13 and affordable homeownership, owner-occupied home repair, and
14 foreclosure prevention programs for low-income households, when
15 specifically authorized to do so by a majority of the voters of the
16 taxing district voting on a ballot proposition authorizing the
17 levies. If both a county, and a city or town within the county,
18 impose levies authorized under this section, the levies of the last
19 jurisdiction to receive voter approval for the levies (~~shall~~) must
20 be reduced or eliminated so that the combined rates of these levies
21 may not exceed fifty cents per thousand dollars of assessed valuation
22 in any area within the county. A ballot proposition authorizing a
23 levy under this section must conform with RCW 84.52.054.

24 (2) The additional property tax levies may not be imposed until:

25 (a) The governing body of the county, city, or town declares the
26 existence of an emergency with respect to the availability of housing
27 that is affordable to very low-income households or low-income
28 households in the taxing district; and

29 (b) The governing body of the county, city, or town adopts an
30 affordable housing financing plan to serve as the plan for
31 expenditure of funds raised by a levy authorized under this section,
32 and the governing body determines that the affordable housing
33 financing plan is consistent with either the locally adopted or
34 state-adopted comprehensive housing affordability strategy, required
35 under the Cranston-Gonzalez national affordable housing act (42
36 U.S.C. Sec. 12701, et seq.), as amended.

37 (3) (~~For purposes of this section, the term "very~~) The
38 definitions in this subsection apply throughout this section unless
39 the context clearly requires otherwise.

1 (a) "Low-income household" means a single person, family, or
2 unrelated persons living together whose income is at or below eighty
3 percent of the median income, as determined by the United States
4 department of housing and urban development, with adjustments for
5 household size, for the county where the taxing district is located.

6 (b) "Very low-income household" means a single person, family, or
7 unrelated persons living together whose income is at or below fifty
8 percent of the median income, as determined by the United States
9 department of housing and urban development, with adjustments for
10 household size, for the county where the taxing district is located.

11 (4) The limitations in RCW 84.52.043 shall not apply to the tax
12 levy authorized in this section.

13 **Sec. 3.** RCW 84.52.043 and 2017 3rd sp.s. c 13 s 304 are each
14 amended to read as follows:

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

18 (1) Levies of the senior taxing districts are as follows: (a) The
19 levies by the state may not exceed the applicable aggregate rate
20 limit specified in RCW 84.52.065 (2) or (4) adjusted to the state
21 equalized value in accordance with the indicated ratio fixed by the
22 state department of revenue to be used exclusively for the support of
23 the common schools; (b) the levy by any county may not exceed one
24 dollar and eighty cents per thousand dollars of assessed value; (c)
25 the levy by any road district may not exceed two dollars and twenty-
26 five cents per thousand dollars of assessed value; and (d) the levy
27 by any city or town may not exceed three dollars and thirty-seven and
28 one-half cents per thousand dollars of assessed value. However any
29 county is hereby authorized to increase its levy from one dollar and
30 eighty cents to a rate not to exceed two dollars and forty-seven and
31 one-half cents per thousand dollars of assessed value for general
32 county purposes if the total levies for both the county and any road
33 district within the county do not exceed four dollars and five cents
34 per thousand dollars of assessed value, and no other taxing district
35 has its levy reduced as a result of the increased county levy.

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

1 the state, counties, road districts, cities, towns, port districts,
2 and public utility districts. The limitations provided in this
3 subsection do not apply to: (a) Levies at the rates provided by
4 existing law by or for any port or public utility district; (b)
5 excess property tax levies authorized in Article VII, section 2 of
6 the state Constitution; (c) levies for acquiring conservation futures
7 as authorized under RCW 84.34.230; (d) levies for emergency medical
8 care or emergency medical services imposed under RCW 84.52.069; (e)
9 levies to finance affordable housing (~~(for very low income housing)~~)
10 imposed under RCW 84.52.105; (f) the portions of levies by
11 metropolitan park districts that are protected under RCW 84.52.120;
12 (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies
13 for criminal justice purposes under RCW 84.52.135; (i) the portions
14 of levies by fire protection districts and regional fire protection
15 service authorities that are protected under RCW 84.52.125; (j)
16 levies by counties for transit-related purposes under RCW 84.52.140;
17 (k) the portion of the levy by flood control zone districts that are
18 protected under RCW 84.52.816; and (l) levies imposed by a regional
19 transit authority under RCW 81.104.175.

20 NEW SECTION. **Sec. 4.** This act takes effect October 1, 2020.

Passed by the Senate February 19, 2020.

Passed by the House March 6, 2020.

Approved by the Governor March 31, 2020.

Filed in Office of Secretary of State March 31, 2020.

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