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**SUBSTITUTE SENATE BILL 5969**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators Dhingra, Wellman, Nobles, and Pedersen)

AN ACT Relating to school districts' authority to contract indebtedness for school construction; and amending RCW 28A.530.080.

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

**Sec.**  RCW 28A.530.080 and 2010 c 241 s 1 are each amended to read as follows:

(1)(a) In addition to the authority granted under RCW 28A.530.010, a school district may contract indebtedness for any purpose specified in RCW 28A.530.010 (2)((~~, (4), and~~)) through (5) or for the purpose of purchasing any real or personal property, or property rights, in connection with the exercise of any powers or duties which it is now or hereafter authorized to exercise, and issue bonds, notes, or other evidences of indebtedness therefor without a vote of the qualified electors of the district, subject to the limitations on indebtedness set forth in RCW 39.36.020(3) and this subsection.

(b) To exercise the authority in (a) of this subsection for any purpose specified in RCW 28A.530.010(3) a school district must:

(i) Have received approval from the qualified electors of the district to collect a levy to support the construction, modernization, or remodeling of school facilities as authorized under RCW 84.52.053; and

(ii) Not have been on binding conditions pursuant to RCW 28A.505.110 in the three years preceding the date of the contract.

(2) Before issuing nonvoted bonds in excess of ((~~two hundred fifty thousand dollars~~)) $250,000, a school district shall publish notice of intent to issue such bonds and shall hold a public hearing on the proposal at any regular or special meeting of the school board. The notice shall designate: The date, time, and place of the hearing; the purpose and amount of the bonds; the type, terms, and conditions of bonds; and the means identified for repayment. The notice shall also state that any person may appear and be heard on the issue of issuing such bonds. The notice shall be published at least once each week for two consecutive weeks in a newspaper of general circulation in the district, or if there is none, in a newspaper of general circulation in the county or counties in which such district is a part. The last notice shall be published no later than seven days immediately before the hearing. At the conclusion of public comment, the board of directors may proceed to determine, by resolution, whether to issue such bonds.

(3) The public notice and hearing requirements in subsection (2) of this section shall not apply to any refinancing or refunding of outstanding nonvoted or voted bonds.

(4) Such bonds, notes, or other evidences of indebtedness shall be issued and sold in accordance with chapter 39.46 RCW, and the proceeds thereof shall be deposited in the capital projects fund, the transportation vehicle fund, or the general fund, as applicable.

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