

HB 2044 - H AMD 1049

By Representative Orcutt

NOT ADOPTED 02/12/2024

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

3 **"Sec. 1.** RCW 84.55.050 and 2021 c 296 s 14 are each amended to
4 read as follows:

5 (1) Subject to any otherwise applicable statutory dollar rate
6 limitations, regular property taxes may be levied by or for a taxing
7 district in an amount exceeding the limitations provided for in this
8 chapter if such levy is authorized by a proposition approved by a
9 majority of the voters of the taxing district voting on the
10 proposition at a general election held within the district or at a
11 special election within the taxing district called by the district
12 for the purpose of submitting such proposition to the voters. Any
13 election held pursuant to this section shall be held not more than 12
14 months prior to the date on which the proposed levy is to be made,
15 except as provided in subsection (2) of this section. The ballot of
16 the proposition shall state the dollar rate proposed and shall
17 clearly state the conditions, if any, which are applicable under
18 subsection (4) of this section.

19 (2)(a) Subject to statutory dollar limitations, a proposition
20 placed before the voters under this section may authorize annual
21 increases in levies for multiple consecutive years, up to six
22 consecutive years, during which period each year's authorized maximum
23 legal levy shall be used as the base upon which an increased levy
24 limit for the succeeding year is computed, but the ballot proposition
25 must state the dollar rate proposed only for the first year of the
26 consecutive years and must state the limit factor, or a specified
27 index to be used for determining a limit factor, such as the consumer
28 price index, which need not be the same for all years, by which the
29 regular tax levy for the district may be increased in each of the
30 subsequent consecutive years. Elections for this purpose must be held
31 at a primary or general election. The title of each ballot measure
32 must state the limited purposes for which the proposed annual

1 increases during the specified period of up to six consecutive years
2 shall be used.

3 ~~(b) ((i) Except as otherwise provided in this subsection (2) (b),~~
4 ~~funds)) Funds raised by a levy under this subsection may not supplant~~
5 existing funds used for the limited purpose specified in the ballot
6 title. For purposes of this subsection, existing funds means the
7 actual operating expenditures for the calendar year in which the
8 ballot measure is approved by voters. Actual operating expenditures
9 excludes lost federal funds, lost or expired state grants or loans,
10 extraordinary events not likely to reoccur, changes in contract
11 provisions beyond the control of the taxing district receiving the
12 services, and major nonrecurring capital expenditures.

13 ~~((ii) The supplanting limitations in (b) (i) of this subsection~~
14 ~~do not apply to levies approved by the voters in calendar years 2009,~~
15 ~~2010, 2011, 2015, 2016, 2017, 2018, 2019, 2020, 2021, and 2022, in~~
16 ~~any county with a population of 1,500,000 or more. This subsection~~
17 ~~(2) (b) (ii) only applies to levies approved by the voters after July~~
18 ~~26, 2009.~~

19 ~~(iii) The supplanting limitations in (b) (i) of this subsection do~~
20 ~~not apply to levies approved by the voters in calendar year 2009 and~~
21 ~~thereafter in any county with a population less than 1,500,000. This~~
22 ~~subsection (2) (b) (iii) only applies to levies approved by the voters~~
23 ~~after July 26, 2009.)~~

24 (3) After a levy authorized pursuant to this section is made, the
25 dollar amount of such levy may not be used for the purpose of
26 computing the limitations for subsequent levies provided for in this
27 chapter, unless the ballot proposition expressly states that the levy
28 made under this section will be used for this purpose.

29 (4) If expressly stated, a proposition placed before the voters
30 under subsection (1) or (2) of this section may:

31 (a) Use the dollar amount of a levy under subsection (1) of this
32 section, or the dollar amount of the final levy under subsection (2)
33 of this section, for the purpose of computing the limitations for
34 subsequent levies provided for in this chapter;

35 (b) Limit the period for which the increased levy is to be made
36 under (a) of this subsection;

37 (c) Limit the purpose for which the increased levy is to be made
38 under (a) of this subsection, but if the limited purpose includes
39 making redemption payments on bonds;

1 (i) For the county in which the state capitol is located, the
2 period for which the increased levies are made may not exceed 25
3 years; and

4 (ii) For districts other than a district under (c)(i) of this
5 subsection, the period for which the increased levies are made may
6 not exceed nine years;

7 (d) Set the levy or levies at a rate less than the maximum rate
8 allowed for the district;

9 (e) Provide that the exemption authorized by RCW 84.36.381 will
10 apply to the levy of any additional regular property taxes authorized
11 by voters; or

12 (f) Include any combination of the conditions in this subsection.

13 (5) Except as otherwise expressly stated in an approved ballot
14 measure under this section, subsequent levies shall be computed as
15 if:

16 (a) The proposition under this section had not been approved; and

17 (b) The taxing district had made levies at the maximum rates
18 which would otherwise have been allowed under this chapter during the
19 years levies were made under the proposition."

20 Correct the title.

EFFECT: Prohibits funds raised from a levy lid lift from
supplanting existing funds in all counties.

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