

**2SSB 5186 - S AMD 195**

By Senator Fortunato

1 On page 6, after line 31, insert the following:

2 "Sec. 7. RCW 84.52.053 and 2018 c 266 s 306 are each amended to  
3 read as follows:

4 (1) The limitations imposed by RCW 84.52.050 through 84.52.056,  
5 and 84.52.043 shall not prevent the levy of taxes by school  
6 districts, when authorized so to do by the voters of such school  
7 district in the manner and for the purposes and number of years  
8 allowable under Article VII, section 2(a) and Article IX, section 1  
9 of the Constitution of this state. Elections for such taxes shall be  
10 held in the year in which the levy is made or, in the case of  
11 propositions authorizing two-year through four-year levies for  
12 enrichment funding for a school district, authorizing two-year levies  
13 for transportation vehicle funds established in RCW 28A.160.130 or  
14 authorizing two-year through six-year levies to support the  
15 construction, modernization, or remodeling of school facilities,  
16 which includes the purposes of RCW 28A.320.330(2) (f) and (g), in the  
17 year in which the first annual levy is made.

18 (2)(a) Once additional tax levies have been authorized for  
19 enrichment funding for a school district for a two-year through four-  
20 year period as provided under subsection (1) of this section, no  
21 further additional tax levies for enrichment funding for the district  
22 for that period may be authorized, except for additional levies to  
23 provide for subsequently enacted increases affecting the district's  
24 maximum levy.

25 (b) Notwithstanding (a) of this subsection, any school district  
26 that is required to annex or receive territory pursuant to a  
27 dissolution of a financially insolvent school district pursuant to  
28 RCW 28A.315.225 may call either a replacement or supplemental levy  
29 election within the school district, including the territory annexed  
30 or transferred, as follows:

31 (i) An election for a proposition authorizing two-year through  
32 four-year levies for enrichment funding for a school district may be

1 called and held before the effective date of dissolution to replace  
2 existing enrichment levies and to provide for increases due to the  
3 dissolution.

4 (ii) An election for a proposition authorizing additional tax  
5 levies may be called and held before the effective date of  
6 dissolution to provide for increases due to the dissolution.

7 (iii) In the event a replacement levy election under (b)(i) of  
8 this subsection is held but does not pass, the affected school  
9 district may subsequently hold a supplemental levy election pursuant  
10 to (b)(ii) of this subsection if the supplemental levy election is  
11 held before the effective date of dissolution. In the event a  
12 supplemental levy election is held under (b)(ii) of this subsection  
13 but does not pass, the affected school district may subsequently hold  
14 a replacement levy election pursuant to (b)(i) of this subsection if  
15 the replacement levy election is held before the effective date of  
16 dissolution. Failure of a replacement levy or supplemental levy  
17 election does not affect any previously approved and existing  
18 enrichment levy within the affected school district or districts.

19 (c) For the purpose of applying the limitation of this subsection  
20 (2), a two-year through six-year levy to support the construction,  
21 modernization, or remodeling of school facilities shall not be deemed  
22 to be a tax levy for enrichment funding for a school district.

23 (3) A special election may be called and the time therefor fixed  
24 by the board of school directors, by giving notice thereof by  
25 publication in the manner provided by law for giving notices of  
26 general elections, at which special election the proposition  
27 authorizing such excess levy shall be submitted in such form as to  
28 enable the voters favoring the proposition to vote "yes" and those  
29 opposed thereto to vote "no." However, a special election called  
30 pursuant to this subsection may only be held on the same day as a  
31 primary election.

32 (4)(a) Beginning September 1, 2018, school districts may use  
33 enrichment levies solely to enrich the state's statutory program of  
34 basic education as authorized under RCW 28A.150.276.

35 (b) Beginning with propositions for enrichment levies for  
36 collection in calendar year 2020 and thereafter, a district must  
37 receive approval of an enrichment levy expenditure plan from the  
38 superintendent of public instruction under RCW 28A.505.240 before  
39 submission of the proposition to the voters."

1           Renumber the remaining sections consecutively and correct any  
2 internal references accordingly.

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3           On page 1, line 3 of the title, after "28A.315.285," insert  
4 "84.52.053,"

EFFECT: Provides that a special election called for the purpose  
of voting on school district excess levies may only be held on the  
same day as a primary election.

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