
ENGROSSED SUBSTITUTE HOUSE BILL 1298

State of Washington

53rd Legislature

1993 Regular Session

By House Committee on Education (originally sponsored by Representatives G. Cole, Brough, Flemming, Dorn, Peery, Karahalios, Pruitt, Rust, Cothorn, Jones, Long, Chappell, Holm, Eide, Linville, Johanson, Foreman, Riley, J. Kohl, Springer, Cooke, Wood, Lemmon, Jacobsen, Wang, Leonard, Carlson, Brumsickle, Thomas, H. Myers, Rayburn and Orr; by request of Washington State School Directors Association, Board of Education and Superintendent of Public Instruction)

Read first time 02/22/93.

1 AN ACT Relating to school district and library district elections;
2 amending RCW 28A.535.020, 28A.535.050, 84.52.056, and 39.36.020;
3 repealing RCW 28A.530.020; and providing a contingent effective date.

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

5 **Sec. 1.** RCW 28A.535.020 and 1990 c 33 s 481 are each amended to
6 read as follows:

7 Whenever the board of directors of any school district shall deem
8 it advisable to validate and ratify the indebtedness mentioned in RCW
9 28A.535.010, they shall provide therefor by resolution, which shall be
10 entered on the records of such school district, which resolution shall
11 provide for the holding of an election for the purpose of submitting
12 the question of validating and ratifying the indebtedness so incurred
13 to the voters of such school district for approval or disapproval, and
14 if at such election (~~three-fifths~~) a majority of the voters in such
15 school district voting at such election shall vote in favor of the
16 validation and ratification of such indebtedness, then such
17 indebtedness so validated and ratified and every part thereof existing
18 at the time of the adoption of said resolution shall thereby become and

1 is hereby declared to be validated and ratified and a binding
2 obligation upon such school district.

3 **Sec. 2.** RCW 28A.535.050 and 1984 c 186 s 14 are each amended to
4 read as follows:

5 If the indebtedness of such school district is validated and
6 ratified, as provided in this chapter, by ~~((three-fifths))~~ a majority
7 of the voters voting at such election, the board of directors of such
8 school district, without any further vote, may borrow money and issue
9 and sell negotiable bonds therefor in accordance with chapter 39.46
10 RCW.

11 **Sec. 3.** RCW 84.52.056 and 1973 1st ex.s. c 195 s 104 are each
12 amended to read as follows:

13 Any municipal corporation otherwise authorized by law to issue
14 general obligation bonds for capital purposes may, at an election duly
15 held after giving notice thereof as required by law, authorize the
16 issuance of general obligation bonds for capital purposes only, which
17 shall not include the replacement of equipment, and provide for the
18 payment of the principal and interest of such bonds by annual levies in
19 excess of the tax limitations contained in RCW 84.52.050 to 84.52.056,
20 inclusive and RCW 84.52.043. Such an election shall not be held
21 oftener than twice a calendar year, and the proposition to issue any
22 such bonds and to exceed said tax limitation must receive the
23 affirmative vote of a three-fifths majority of those voting on the
24 proposition and the total number of ~~((persons))~~ voters voting at such
25 election must constitute not less than forty percent of the voters in
26 said municipal corporation who voted at the last preceding general
27 state election, except that a proposition by a school district to issue
28 bonds with a term of nine years or less, and to pay the principal and
29 interest on the bonds by annual tax levies during the term of the
30 bonds in excess of the limitation contained in RCW 84.52.043 and
31 84.52.050 through 84.52.056, shall receive a majority of the voters
32 voting on the proposition.

33 Any taxing district shall have the right by vote of its governing
34 body to refund any general obligation bonds of said district issued for
35 capital purposes only, and to provide for the interest thereon and
36 amortization thereof by annual levies in excess of the tax limitations

1 provided for in RCW 84.52.050 to 84.52.056, inclusive and RCW
2 84.52.043.

3 **Sec. 4.** RCW 39.36.020 and 1971 ex.s. c 218 s 1 are each amended to
4 read as follows:

5 (1) Except as otherwise expressly provided by law or in subsections
6 (2), (3) and (4) of this section, no taxing district shall for any
7 purpose become indebted in any manner to an amount exceeding
8 three-eighths of one percent of the value of the taxable property in
9 such taxing district without the assent of three-fifths of the voters
10 therein voting at an election to be held for that purpose, nor in cases
11 requiring such assent shall the total indebtedness incurred at any time
12 exceed one and one-fourth percent on the value of the taxable property
13 therein.

14 (2) Counties, cities, towns, and public hospital districts are
15 limited to an indebtedness amount not exceeding three-fourths of one
16 percent of the value of the taxable property in such counties, cities,
17 towns, or public hospital districts without the assent of three-fifths
18 of the voters therein voting at an election held for that purpose. In
19 cases requiring such assent counties, cities, towns, and public
20 hospital districts are limited to a total indebtedness of two and one-
21 half percent of the value of the taxable property therein.

22 (3) School districts are limited to an indebtedness amount not
23 exceeding three-eighths of one percent of the value of the taxable
24 property in such district without the assent of (~~three-fifths~~) a
25 majority of the voters therein voting at an election held for that
26 purpose. In cases requiring such assent school districts are limited
27 to a total indebtedness of two and one-half percent of the value of the
28 taxable property therein.

29 (4) No part of the indebtedness allowed in this chapter shall be
30 incurred for any purpose other than strictly county, city, town, school
31 district, township, port district, metropolitan park district, or other
32 municipal purposes: PROVIDED, That a city or town, with such assent,
33 may become indebted to a larger amount, but not exceeding two and one-
34 half percent additional, determined as herein provided, for supplying
35 such city or town with water, artificial light, and sewers, when the
36 works for supplying such water, light, and sewers shall be owned and
37 controlled by the city or town; and a city or town, with such assent,
38 may become indebted to a larger amount, but not exceeding two and one-

1 half percent additional for acquiring or developing open space and park
2 facilities: PROVIDED FURTHER, That any school district may become
3 indebted to a larger amount but not exceeding two and one-half percent
4 additional for capital outlays.

5 (5) Such indebtedness may be authorized in any total amount in one
6 or more propositions and the amount of such authorization may exceed
7 the amount of indebtedness which could then lawfully be incurred. Such
8 indebtedness may be incurred in one or more series of bonds from time
9 to time out of such authorization but at no time shall the total
10 general indebtedness of any taxing district exceed the above
11 limitation.

12 The term "value of the taxable property" as used in this section
13 shall have the meaning set forth in RCW 39.36.015.

14 NEW SECTION. **Sec. 5.** RCW 28A.530.020 and 1990 c 33 s 478, 1984 c
15 186 s 11, 1970 ex.s. c 42 s 9, & 1969 ex.s. c 223 s 28A.51.020 are each
16 repealed.

17 NEW SECTION. **Sec. 6.** If any provision of this act or its
18 application to any person or circumstance is held invalid, the
19 remainder of the act or the application of the provision to other
20 persons or circumstances is not affected.

21 NEW SECTION. **Sec. 7.** This act shall take effect when the proposed
22 amendment to Article VII, section 2 and Article VIII, section 6 of the
23 state Constitution providing for a simple majority of voters voting to
24 authorize school district levies and bonds is validly submitted to and
25 is approved and ratified by the voters at the next general election and
26 certified by the secretary of state. If the proposed amendment is not
27 so approved, ratified, and certified, this act is void in its entirety.

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