
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.530.020, 28A.535.020, 28A.535.050, 84.52.056,
3 27.12.222, and 39.36.020; and providing a contingent effective date.

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

5 **Sec. 1.** RCW 28A.530.020 and 1990 c 33 s 478 are each amended to
6 read as follows:

7 The question whether the bonds shall be issued, as provided in RCW
8 28A.530.010, shall be determined at an election to be held pursuant to
9 RCW 39.36.050. If a majority of the (~~votes cast~~) voters voting at
10 such election favor the issuance of such bonds, the board of directors
11 must issue such bonds(~~(: PROVIDED, That if the amount of bonds to be~~
12 ~~issued, together with any outstanding indebtedness of the district that~~
13 ~~only needs a simple majority voter approval, exceeds three-eighths of~~
14 ~~one percent of the value of the taxable property in said district, as~~
15 ~~the term "value of the taxable property" is defined in RCW 39.36.015,~~
16 ~~then three-fifths of the votes cast at such election must be in favor~~
17 ~~of the issuance of such bonds, before the board of directors is~~
18 ~~authorized to issue said bonds)).~~

1 **Sec. 2.** RCW 28A.535.020 and 1990 c 33 s 481 are each amended to
2 read as follows:

3 Whenever the board of directors of any school district shall deem
4 it advisable to validate and ratify the indebtedness mentioned in RCW
5 28A.535.010, they shall provide therefor by resolution, which shall be
6 entered on the records of such school district, which resolution shall
7 provide for the holding of an election for the purpose of submitting
8 the question of validating and ratifying the indebtedness so incurred
9 to the voters of such school district for approval or disapproval, and
10 if at such election (~~((three-fifths))~~) a majority of the voters in such
11 school district voting at such election shall vote in favor of the
12 validation and ratification of such indebtedness, then such
13 indebtedness so validated and ratified and every part thereof existing
14 at the time of the adoption of said resolution shall thereby become and
15 is hereby declared to be validated and ratified and a binding
16 obligation upon such school district.

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

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

25 **Sec. 4.** RCW 84.52.056 and 1973 1st ex.s. c 195 s 104 are each
26 amended to read as follows:

27 Any municipal corporation otherwise authorized by law to issue
28 general obligation bonds for capital purposes may, at an election duly
29 held after giving notice thereof as required by law, authorize the
30 issuance of general obligation bonds for capital purposes only, which
31 shall not include the replacement of equipment, and provide for the
32 payment of the principal and interest of such bonds by annual levies in
33 excess of the tax limitations contained in RCW 84.52.050 to 84.52.056,
34 inclusive and RCW 84.52.043. Such an election shall not be held
35 oftener than twice a calendar year, and the proposition to issue any
36 such bonds and to exceed said tax limitation must receive the
37 affirmative vote of a three-fifths majority of those voting on the

1 proposition and the total number of (~~persons~~) voters voting at such
2 election must constitute not less than forty percent of the voters in
3 said municipal corporation who voted at the last preceding general
4 state election, except that school districts and library districts may
5 have issuance of general obligation bonds for capital purposes
6 authorized by a majority of those voting at such election.

7 Any taxing district shall have the right by vote of its governing
8 body to refund any general obligation bonds of said district issued for
9 capital purposes only, and to provide for the interest thereon and
10 amortization thereof by annual levies in excess of the tax limitations
11 provided for in RCW 84.52.050 to 84.52.056, inclusive and RCW
12 84.52.043.

13 **Sec. 5.** RCW 27.12.222 and 1984 c 186 s 8 are each amended to read
14 as follows:

15 A rural county library district, intercounty rural library
16 district, or island library district may contract indebtedness and
17 issue general obligation bonds not to exceed an amount, together with
18 any outstanding nonvoter approved general obligation indebtedness,
19 equal to one-tenth of one percent of the value of the taxable property
20 within the district, as the term "value of the taxable property" is
21 defined in RCW 39.36 015. The maximum term of nonvoter approved
22 general obligation bonds shall not exceed six years. A rural county
23 library district, island library district, or intercounty rural library
24 district may additionally contract indebtedness and issue general
25 obligation bonds for capital purposes only, together with any
26 outstanding general indebtedness, not to exceed an amount equal to one-
27 half of one percent of the value of the taxable property within the
28 district, as the term "value of the taxable property" is defined in RCW
29 39.36.015 whenever a proposition authorizing the issuance of such bonds
30 has been approved by the voters of the district pursuant to RCW
31 39.36.050, by (~~three-fifths~~) a majority of the (~~persons~~) voters
32 voting on the proposition (~~at which election the number of persons~~
33 ~~voting on the proposition shall constitute not less than forty percent~~
34 ~~of the total number of votes cast in such taxing district at the last~~
35 ~~preceding general election~~). If the voters shall so authorize at an
36 election held pursuant to RCW 39.36.050, the district may levy annual
37 taxes in excess of normal legal limitations to pay the principal and
38 interest upon such bonds as they shall become due. The excess levies

1 mentioned in this section or in RCW 84.52.052 or 84.52.056 may be made
2 notwithstanding anything contained in RCW 27.12.050 or 27.12.150 or any
3 other statute pertaining to such library districts.

4 **Sec. 6.** RCW 39.36.020 and 1971 ex.s. c 218 s 1 are each amended to
5 read as follows:

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

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

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

35 (4) No part of the indebtedness allowed in this chapter shall be
36 incurred for any purpose other than strictly county, city, town, school
37 district, township, port district, metropolitan park district, or other
38 municipal purposes: PROVIDED, That a city or town, with such assent,

1 may become indebted to a larger amount, but not exceeding two and one-
2 half percent additional, determined as herein provided, for supplying
3 such city or town with water, artificial light, and sewers, when the
4 works for supplying such water, light, and sewers shall be owned and
5 controlled by the city or town; and a city or town, with such assent,
6 may become indebted to a larger amount, but not exceeding two and one-
7 half percent additional for acquiring or developing open space and park
8 facilities: PROVIDED FURTHER, That any school district may become
9 indebted to a larger amount but not exceeding two and one-half percent
10 additional for capital outlays.

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

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

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

--- END ---