

# SENATE BILL REPORT

## SB 5245

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As of February 5, 1997

**Title:** An act relating to school districts.

**Brief Description:** Providing for a simple majority of voters voting at a general election to authorize school district levies and bonds.

**Sponsors:** Senators Oke, Winsley, Sellar, Rasmussen, Anderson and Patterson.

**Brief History:**

**Committee Activity:** Education: 2/7/97.

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### SENATE COMMITTEE ON EDUCATION

**Staff:** Karen Carter (786-7424)

**Background:** The Washington State Constitution gives school districts the authority to collect excess property tax revenues for capital or operating purposes, and to assume debt when voters approve a levy or bond issue by certain margins. The constitution also specifies the timing and frequency of such excess- levies and bond elections.

General Obligation Bonds and Debt: A school district is authorized to issue general obligation bonds or to assume debt for capital purposes in excess of set limits only when the number of voters voting on the proposition is not less than 40 percent of district voters who participated in the last preceding general election. Additionally, at least 60 percent of those voting on the proposition must vote yes.-

Excess Property Tax Levies: There are two methods for authorizing a school district excess levy. The first method results in approval if 60 percent vote yes- so long as the number of voters voting on the proposition equals or exceeds 40 percent of district voters who participated in the last preceding general election.

The second method can result in approval where voters turn out in fewer numbers than the requisite 40 percent.- In this case, the yes- count threshold is higher for levy approval. The number of yes- votes must equal or exceed 3/5ths (60 percent) of a number, which represents 40 percent of district voters who participated in the last preceding general election.

Timing and Frequency: School excess levies or bond issues may be submitted at a special or regular election, but not more than twice in a 12-month period. Levy propositions may not be submitted more than 12 months prior to the effective date.

Article VII, section 2 of the constitution requires that taxing districts,- including schools, be recognized in statute by the Legislature to exercise this authority.

**Summary of Bill:** State laws governing the necessary voter approval, timing and frequency of school levy, debt and bond issue elections are changed. The act takes effect provided that the people of Washington State approve an accompanying constitutional amendment at the next general election.

If ratified, necessary approval is achieved when a simply majority of voters voting on a school financing proposition vote yes—. Timing of school propositions is limited to the state general election, giving districts one opportunity to seek voter approval every 12 months.

A conflicting statute that allows local school boards to call bond elections is repealed.

**Appropriation:** None.

**Fiscal Note:** Requested on January 31, 1997.

**Effective Date:** The bill contains a contingency clause and takes effect if a constitutional amendment providing for a simple majority vote to authorize school district levies and bonds is validly submitted, approved, and ratified by the voters and certified by the Secretary of State.