
SENATE BILL 6311

State of Washington 57th Legislature

2002 Regular Session

By Senators McCaslin and Winsley

Read first time 01/15/2002. Referred to Committee on Judiciary.

1 AN ACT Relating to juror compensation; amending RCW 2.36.150,
2 3.50.135, 35.20.090, 84.52.010, 84.52.043, and 43.135.060; and adding
3 a new section to chapter 84.52 RCW.

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

5 **Sec. 1.** RCW 2.36.150 and 1987 c 202 s 105 are each amended to read
6 as follows:

7 Jurors shall receive for each day's attendance, besides mileage at
8 the rate determined under RCW 43.03.060, the following compensation:

9 (1) Grand jurors may receive up to (~~twenty-five~~) fifty-five
10 dollars but in no case less than ten dollars;

11 (2) Petit jurors may receive up to (~~twenty-five~~) fifty-five
12 dollars but in no case less than ten dollars;

13 (3) Coroner's jurors may receive up to (~~twenty-five~~) fifty-five
14 dollars but in no case less than ten dollars;

15 (4) District court jurors may receive up to (~~twenty-five~~) fifty-
16 five dollars but in no case less than ten dollars:

17 PROVIDED, That a person excused from jury service at his or her own
18 request shall be allowed not more than a per diem and such mileage, if
19 any, as to the court shall seem just and equitable under all

1 circumstances: PROVIDED FURTHER, That the state shall fully reimburse
2 the county in which trial is held for all jury fees and witness fees
3 related to criminal cases which result from incidents occurring within
4 an adult or juvenile correctional institution: PROVIDED FURTHER, That
5 the compensation paid jurors shall be determined by the county
6 legislative authority and shall be uniformly applied within the county.

7 **Sec. 2.** RCW 3.50.135 and 1984 c 258 s 126 are each amended to read
8 as follows:

9 In all civil cases, the plaintiff or defendant may demand a jury,
10 which shall consist of six citizens of the state who shall be impaneled
11 and sworn as in cases before district courts, or the trial may be by a
12 judge of the municipal court: PROVIDED, That no jury trial may be held
13 on a proceeding involving a traffic infraction. A party requesting a
14 jury shall pay to the court a fee which shall be the same as that for
15 a jury in district court. If more than one party requests a jury, only
16 one jury fee shall be collected by the court. The fee shall be
17 apportioned among the requesting parties. Each juror may receive up to
18 (~~twenty-five~~) fifty-five dollars but in no case less than ten dollars
19 for each day in attendance upon the municipal court, and in addition
20 thereto shall receive mileage at the rate determined under RCW
21 43.03.060: PROVIDED, That the compensation paid jurors shall be
22 determined by the legislative authority of the city and shall be
23 uniformly applied. Jury trials shall be allowed in all criminal cases
24 unless waived by the defendant.

25 **Sec. 3.** RCW 35.20.090 and 1987 c 202 s 195 are each amended to
26 read as follows:

27 In all civil cases and criminal cases where jurisdiction is
28 concurrent with district courts as provided in RCW 35.20.250, within
29 the jurisdiction of the municipal court, the plaintiff or defendant may
30 demand a jury, which shall consist of six citizens of the state who
31 shall be impaneled and sworn as in cases before district courts, or the
32 trial may be by a judge of the municipal court: PROVIDED, That no jury
33 trial may be held on a proceeding involving a traffic infraction. A
34 defendant requesting a jury shall pay to the court a fee which shall be
35 the same as that for a jury in district court. Where there is more
36 than one defendant in an action and one or more of them requests a
37 jury, only one jury fee shall be collected by the court. Each juror

1 may receive up to (~~twenty-five~~) fifty-five dollars but in no case
2 less than ten dollars for each day in attendance upon the municipal
3 court, and in addition thereto shall receive mileage at the rate
4 determined under RCW 43.03.060: PROVIDED, That the compensation paid
5 jurors shall be determined by the legislative authority of the city and
6 shall be uniformly applied. Trial by jury shall be allowed in criminal
7 cases involving violations of city ordinances commencing January 1,
8 1972, unless such incorporated city affected by this chapter has made
9 provision therefor prior to January 1, 1972.

10 NEW SECTION. **Sec. 4.** A new section is added to chapter 84.52 RCW
11 to read as follows:

12 (1) A city may levy an annual regular property tax of up to two
13 cents per thousand dollars of assessed value upon the assessed
14 valuation of all taxable property in the city for purposes of juror
15 compensation.

16 (2) A county may levy an annual regular property tax of up to two
17 cents per thousand dollars of assessed value upon the assessed
18 valuation of all taxable property in the county for purposes of juror
19 compensation.

20 (3) The limitations in RCW 84.52.043 do not apply to the tax levies
21 authorized in this section.

22 **Sec. 5.** RCW 84.52.010 and 1995 2nd sp.s. c 13 s 4 are each amended
23 to read as follows:

24 Except as is permitted under RCW 84.55.050, all taxes shall be
25 levied or voted in specific amounts.

26 The rate percent of all taxes for state and county purposes, and
27 purposes of taxing districts coextensive with the county, shall be
28 determined, calculated and fixed by the county assessors of the
29 respective counties, within the limitations provided by law, upon the
30 assessed valuation of the property of the county, as shown by the
31 completed tax rolls of the county, and the rate percent of all taxes
32 levied for purposes of taxing districts within any county shall be
33 determined, calculated and fixed by the county assessors of the
34 respective counties, within the limitations provided by law, upon the
35 assessed valuation of the property of the taxing districts
36 respectively.

1 When a county assessor finds that the aggregate rate of tax levy on
2 any property, that is subject to the limitations set forth in RCW
3 84.52.043 or 84.52.050, exceeds the limitations provided in either of
4 these sections, the assessor shall recompute and establish a
5 consolidated levy in the following manner:

6 (1) The full certified rates of tax levy for state, county, county
7 road district, and city or town purposes shall be extended on the tax
8 rolls in amounts not exceeding the limitations established by law;
9 however any state levy shall take precedence over all other levies and
10 shall not be reduced for any purpose other than that required by RCW
11 84.55.010. If, as a result of the levies imposed under RCW 84.52.069,
12 84.34.230, section 4 of the act, the portion of the levy by a
13 metropolitan park district that was protected under RCW 84.52.120, and
14 84.52.105, the combined rate of regular property tax levies that are
15 subject to the one percent limitation exceeds one percent of the true
16 and fair value of any property, then these levies shall be reduced as
17 follows:

18 (a) The levies under section 4 of this act shall be reduced on a
19 pro rata basis until the combined rate no longer exceeds one percent of
20 the true and fair value of any property or shall be eliminated;

21 (b) If the combined rate of regular property tax levies that are
22 subject to the one percent limitation still exceeds one percent of the
23 true and fair value of any property, then the portion of the levy by a
24 metropolitan park district that is protected under RCW 84.52.120 shall
25 be reduced until the combined rate no longer exceeds one percent of the
26 true and fair value of any property or shall be eliminated;

27 ~~((b))~~ (c) If the combined rate of regular property tax levies
28 that are subject to the one percent limitation still exceeds one
29 percent of the true and fair value of any property, then the levies
30 imposed under RCW 84.34.230, 84.52.105, and any portion of the levy
31 imposed under RCW 84.52.069 that is in excess of thirty cents per
32 thousand dollars of assessed value, shall be reduced on a pro rata
33 basis until the combined rate no longer exceeds one percent of the true
34 and fair value of any property or shall be eliminated; and

35 ~~((e))~~ (d) If the combined rate of regular property tax levies
36 that are subject to the one percent limitation still exceeds one
37 percent of the true and fair value of any property, then the thirty
38 cents per thousand dollars of assessed value of tax levy imposed under
39 RCW 84.52.069 shall be reduced until the combined rate no longer

1 exceeds one percent of the true and fair value of any property or
2 eliminated.

3 (2) The certified rates of tax levy subject to these limitations by
4 all junior taxing districts imposing taxes on such property shall be
5 reduced or eliminated as follows to bring the consolidated levy of
6 taxes on such property within the provisions of these limitations:

7 (a) First, the certified property tax levy rates of those junior
8 taxing districts authorized under RCW 36.68.525, 36.69.145, and
9 67.38.130 shall be reduced on a pro rata basis or eliminated;

10 (b) Second, if the consolidated tax levy rate still exceeds these
11 limitations, the certified property tax levy rates of flood control
12 zone districts shall be reduced on a pro rata basis or eliminated;

13 (c) Third, if the consolidated tax levy rate still exceeds these
14 limitations, the certified property tax levy rates of all other junior
15 taxing districts, other than fire protection districts, library
16 districts, the first fifty cent per thousand dollars of assessed
17 valuation levies for metropolitan park districts, and the first fifty
18 cent per thousand dollars of assessed valuation levies for public
19 hospital districts, shall be reduced on a pro rata basis or eliminated;

20 (d) Fourth, if the consolidated tax levy rate still exceeds these
21 limitations, the certified property tax levy rates authorized to fire
22 protection districts under RCW 52.16.140 and 52.16.160 shall be reduced
23 on a pro rata basis or eliminated; and

24 (e) Fifth, if the consolidated tax levy rate still exceeds these
25 limitations, the certified property tax levy rates authorized for fire
26 protection districts under RCW 52.16.130, library districts,
27 metropolitan park districts under their first fifty cent per thousand
28 dollars of assessed valuation levy, and public hospital districts under
29 their first fifty cent per thousand dollars of assessed valuation levy,
30 shall be reduced on a pro rata basis or eliminated.

31 In determining whether the aggregate rate of tax levy on any
32 property, that is subject to the limitations set forth in RCW
33 84.52.050, exceeds the limitations provided in that section, the
34 assessor shall use the hypothetical state levy, as apportioned to the
35 county under RCW 84.48.080, that was computed under RCW 84.48.080
36 without regard to the reduction under RCW 84.55.012.

37 **Sec. 6.** RCW 84.52.043 and 1995 c 99 s 3 are each amended to read
38 as follows:

1 Within and subject to the limitations imposed by RCW 84.52.050 as
2 amended, the regular ad valorem tax levies upon real and personal
3 property by the taxing districts hereafter named shall be as follows:

4 (1) Levies of the senior taxing districts shall be as follows: (a)
5 The levy by the state shall not exceed three dollars and sixty cents
6 per thousand dollars of assessed value adjusted to the state equalized
7 value in accordance with the indicated ratio fixed by the state
8 department of revenue to be used exclusively for the support of the
9 common schools; (b) the levy by any county shall not exceed one dollar
10 and eighty cents per thousand dollars of assessed value; (c) the levy
11 by any road district shall not exceed two dollars and twenty-five cents
12 per thousand dollars of assessed value; and (d) the levy by any city or
13 town shall not exceed three dollars and thirty-seven and one-half cents
14 per thousand dollars of assessed value. However any county is hereby
15 authorized to increase its levy from one dollar and eighty cents to a
16 rate not to exceed two dollars and forty-seven and one-half cents per
17 thousand dollars of assessed value for general county purposes if the
18 total levies for both the county and any road district within the
19 county do not exceed four dollars and five cents per thousand dollars
20 of assessed value, and no other taxing district has its levy reduced as
21 a result of the increased county levy.

22 (2) The aggregate levies of junior taxing districts and senior
23 taxing districts, other than the state, shall not exceed five dollars
24 and ninety cents per thousand dollars of assessed valuation. The term
25 "junior taxing districts" includes all taxing districts other than the
26 state, counties, road districts, cities, towns, port districts, and
27 public utility districts. The limitations provided in this subsection
28 shall not apply to: (a) Levies at the rates provided by existing law
29 by or for any port or public utility district; (b) excess property tax
30 levies authorized in Article VII, section 2 of the state Constitution;
31 (c) levies for acquiring conservation futures as authorized under RCW
32 84.34.230; (d) levies for emergency medical care or emergency medical
33 services imposed under RCW 84.52.069; (e) levies to finance affordable
34 housing for very low-income housing imposed under RCW 84.52.105;
35 ((and)) (f) the portions of levies by metropolitan park districts that
36 are protected under RCW 84.52.120; and (g) levies for juror
37 compensation under section 4 of this act.

1 **Sec. 7.** RCW 43.135.060 and 1998 c 321 s 15 are each amended to
2 read as follows:

3 (1) After July 1, 1995, the legislature shall not impose
4 responsibility for new programs or increased levels of service under
5 existing programs on any political subdivision of the state unless the
6 subdivision is fully reimbursed by the state for the costs of the new
7 programs or increases in service levels. Reimbursement by the state
8 may be made by: (a) A specific appropriation; or (b) increases in
9 state distributions of revenue to political subdivisions occurring
10 after January 1, 1998.

11 (2) If by order of any court, or legislative enactment, the costs
12 of a federal or local government program are transferred to or from the
13 state, the otherwise applicable state expenditure limit shall be
14 increased or decreased, as the case may be, by the dollar amount of the
15 costs of the program.

16 (3) The legislature, in consultation with the office of financial
17 management or its successor agency, shall determine the costs of any
18 new programs or increased levels of service under existing programs
19 imposed on any political subdivision or transferred to or from the
20 state.

21 (4) Money raised by the city or county under section 4 of this act
22 shall constitute appropriate reimbursement for any liabilities under
23 subsection (1) of this section associated with the implementation of
24 chapter . . . , Laws of 2002 (this act).

25 (5) Subsection (1) of this section does not apply to the costs
26 incurred for voting devices or machines under RCW 29.04.200.

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