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SENATE BILL 6542

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State of Washington 57th Legislature

2002 Regular Session

By Senators McAuliffe, McDonald, Fairley, Finkbeiner, Kohl-Welles, Horn, Eide, Regala, Kastama, Prentice, Poulsen, Rossi, Keiser, Thibaudeau, Costa, Shin and Jacobsen

Read first time 01/21/2002. Referred to Committee on Education.

1 AN ACT Relating to the maximum allowable percentage for maintenance  
2 and operation school levies; and amending RCW 84.52.0531.

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

4 **Sec. 1.** RCW 84.52.0531 and 1997 c 259 s 2 are each amended to read  
5 as follows:

6 The maximum dollar amount which may be levied by or for any school  
7 district for maintenance and operation support under the provisions of  
8 RCW 84.52.053 shall be determined as follows:

9 (1) For excess levies for collection in calendar year 1997, the  
10 maximum dollar amount shall be calculated pursuant to the laws and  
11 rules in effect in November 1996.

12 (2) For excess levies for collection in calendar year 1998 and  
13 thereafter, the maximum dollar amount shall be the sum of (a) plus or  
14 minus (b) and (c) of this subsection minus (d) of this subsection:

15 (a) The district's levy base as defined in subsection (3) of this  
16 section multiplied by the district's maximum levy percentage as defined  
17 in subsection (4) of this section;

18 (b) For districts in a high/nonhigh relationship, the high school  
19 district's maximum levy amount shall be reduced and the nonhigh school

1 district's maximum levy amount shall be increased by an amount equal to  
2 the estimated amount of the nonhigh payment due to the high school  
3 district under RCW 28A.545.030(3) and 28A.545.050 for the school year  
4 commencing the year of the levy;

5 (c) For districts in an interdistrict cooperative agreement, the  
6 nonresident school district's maximum levy amount shall be reduced and  
7 the resident school district's maximum levy amount shall be increased  
8 by an amount equal to the per pupil basic education allocation included  
9 in the nonresident district's levy base under subsection (3) of this  
10 section multiplied by:

11 (i) The number of full-time equivalent students served from the  
12 resident district in the prior school year; multiplied by:

13 (ii) The serving district's maximum levy percentage determined  
14 under subsection (4) of this section; increased by:

15 (iii) The percent increase per full-time equivalent student as  
16 stated in the state basic education appropriation section of the  
17 biennial budget between the prior school year and the current school  
18 year divided by fifty-five percent;

19 (d) The district's maximum levy amount shall be reduced by the  
20 maximum amount of state matching funds for which the district is  
21 eligible under RCW 28A.500.010.

22 (3) For excess levies for collection in calendar year 1998 and  
23 thereafter, a district's levy base shall be the sum of allocations in  
24 (a) through (c) of this subsection received by the district for the  
25 prior school year, including allocations for compensation increases,  
26 plus the sum of such allocations multiplied by the percent increase per  
27 full time equivalent student as stated in the state basic education  
28 appropriation section of the biennial budget between the prior school  
29 year and the current school year and divided by fifty-five percent. A  
30 district's levy base shall not include local school district property  
31 tax levies or other local revenues, or state and federal allocations  
32 not identified in (a) through (c) of this subsection.

33 (a) The district's basic education allocation as determined  
34 pursuant to RCW 28A.150.250, 28A.150.260, and 28A.150.350;

35 (b) State and federal categorical allocations for the following  
36 programs:

37 (i) Pupil transportation;

38 (ii) Special education;

39 (iii) Education of highly capable students;

1 (iv) Compensatory education, including but not limited to learning  
2 assistance, migrant education, Indian education, refugee programs, and  
3 bilingual education;

4 (v) Food services; and

5 (vi) State-wide block grant programs; and

6 (c) Any other federal allocations for elementary and secondary  
7 school programs, including direct grants, other than federal impact aid  
8 funds and allocations in lieu of taxes.

9 (4)(a) A district's maximum levy percentage shall be ~~((twenty-two))~~  
10 twenty-four percent in ~~((1998))~~ 2002 and ~~((twenty-four))~~ twenty-eight  
11 percent in ~~((1999))~~ 2003 and every year thereafter; ~~((plus,))~~

12 (b) For qualifying districts, in addition to the percentage in (a)  
13 of this subsection the grandfathered percentage shall be added,  
14 determined as follows:

15 ~~((a))~~ (i) For 1997, the difference between the district's 1993  
16 maximum levy percentage and twenty percent; and

17 ~~((b))~~ (ii) For ~~((1998))~~ 2004 and thereafter, the percentage  
18 calculated as follows:

19 ~~((i))~~ (A) Multiply the grandfathered percentage for the prior  
20 year times the district's levy base determined under subsection (3) of  
21 this section;

22 ~~((ii))~~ (B) Reduce the result of ~~((b)(i))~~ (ii)(A) of this  
23 subsection by any levy reduction funds as defined in subsection (5) of  
24 this section that are to be allocated to the district for the current  
25 school year;

26 ~~((iii))~~ (C) Divide the result of ~~((b)(ii))~~ (ii)(B) of this  
27 subsection by the district's levy base; and

28 ~~((iv))~~ (D) Take the greater of zero or the percentage calculated  
29 in ~~((b)(iii))~~ (ii)(C) of this subsection.

30 (5) "Levy reduction funds" shall mean increases in state funds from  
31 the prior school year for programs included under subsection (3) of  
32 this section: (a) That are not attributable to enrollment changes,  
33 compensation increases, or inflationary adjustments; and (b) that are  
34 or were specifically identified as levy reduction funds in the  
35 appropriations act. If levy reduction funds are dependent on formula  
36 factors which would not be finalized until after the start of the  
37 current school year, the superintendent of public instruction shall  
38 estimate the total amount of levy reduction funds by using prior school  
39 year data in place of current school year data. Levy reduction funds

1 shall not include moneys received by school districts from cities or  
2 counties.

3 (6) For the purposes of this section, "prior school year" means the  
4 most recent school year completed prior to the year in which the levies  
5 are to be collected.

6 (7) For the purposes of this section, "current school year" means  
7 the year immediately following the prior school year.

8 (8) Funds collected from transportation vehicle fund tax levies  
9 shall not be subject to the levy limitations in this section.

10 (9) The superintendent of public instruction shall develop rules  
11 and regulations and inform school districts of the pertinent data  
12 necessary to carry out the provisions of this section.

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