

SB 5232 - S AMD 611  
By Senator Morton

ADOPTED 02/03/2004

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 84.52.052 and 2003 c 83 s 312 are each amended to  
4 read as follows:

5 The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW  
6 84.52.043 shall not prevent the levy of additional taxes by any taxing  
7 district, except school districts (~~and~~), fire protection districts,  
8 and cemetery districts, in which a larger levy is necessary in order to  
9 prevent the impairment of the obligation of contracts. As used in this  
10 section, the term "taxing district" means any county, metropolitan park  
11 district, park and recreation service area, park and recreation  
12 district, water-sewer district, solid waste disposal district, public  
13 facilities district, flood control zone district, county rail district,  
14 service district, public hospital district, road district, rural county  
15 library district, island library district, rural partial-county library  
16 district, intercounty rural library district, (~~cemetery district,~~)  
17 city, town, transportation benefit district, emergency medical service  
18 district with a population density of less than one thousand per square  
19 mile, cultural arts, stadium, and convention district, ferry district,  
20 or city transportation authority.

21 Any such taxing district may levy taxes at a rate in excess of the  
22 rate specified in RCW 84.52.050 through 84.52.056 and 84.52.043, or  
23 84.55.010 through 84.55.050, when authorized so to do by the voters of  
24 such taxing district in the manner set forth in Article VII, section  
25 2(a) of the Constitution of this state at a special or general election  
26 to be held in the year in which the levy is made.

27 A special election may be called and the time therefor fixed by the  
28 county legislative authority, or council, board of commissioners, or  
29 other governing body of any such taxing district, by giving notice  
30 thereof by publication in the manner provided by law for giving notices

1 of general elections, at which special election the proposition  
2 authorizing such excess levy shall be submitted in such form as to  
3 enable the voters favoring the proposition to vote "yes" and those  
4 opposed thereto to vote "no."

5 **Sec. 2.** RCW 68.52.310 and 1973 1st ex.s. c 195 s 77 are each  
6 amended to read as follows:

7 The board of cemetery commissioners shall have no authority to  
8 contract indebtedness in any year in excess of the aggregate amount of  
9 the currently levied taxes, which annual tax levy for cemetery district  
10 purposes shall not exceed eleven and one-quarter cents per thousand  
11 dollars of assessed valuation and the tax levy amount authorized in  
12 section 3 of this act.

13 NEW SECTION. **Sec. 3.** A new section is added to chapter 84.52 RCW  
14 to read as follows:

15 The limitations imposed by RCW 84.52.050 through 84.52.056, and  
16 84.52.043 shall not prevent the levy of taxes by a cemetery district,  
17 when authorized so to do by the voters of a cemetery district in the  
18 manner and for the purposes and number of years allowable under Article  
19 VII, section 2(a) of the Constitution of this state. Elections for  
20 taxes shall be held in the year in which the levy is made, or in the  
21 case of propositions authorizing two-year through four-year levies for  
22 maintenance and operation support of a cemetery district, or  
23 authorizing two-year through six-year levies to support the  
24 construction, modernization, or remodeling of cemetery district  
25 facilities, in the year in which the first annual levy is made. Once  
26 additional tax levies have been authorized for maintenance and  
27 operation support of a cemetery district for a two-year through four-  
28 year period, no further additional tax levies for maintenance and  
29 operation support of the district for that period may be authorized.

30 A special election may be called and the time fixed by the cemetery  
31 district commissioners, by giving notice by publication in the manner  
32 provided by law for giving notices of general elections, at which  
33 special election the proposition authorizing the excess levy shall be  
34 submitted in a form as to enable the voters favoring the proposition to  
35 vote "yes" and those opposed to vote "no."

1        NEW SECTION.    **Sec. 4.**    This act takes effect January 1, 2005, if  
2    the proposed amendment to Article VII, section 2 of the state  
3    Constitution authorizing multiyear excess property tax levies for  
4    cemetery districts is validly submitted to and approved by the voters  
5    at the next general election.    If the proposed amendment is not  
6    approved, this act is void in its entirety."

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7        On page 1, line 2 of the title, after "districts;" strike the  
8    remainder of the title and insert "amending RCW 84.52.052 and  
9    68.52.310; adding a new section to chapter 84.52 RCW; and providing a  
10    contingent effective date."

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