
HOUSE BILL 1901

State of Washington

58th Legislature

2003 Regular Session

By Representatives McDermott, Jarrett and Hunter; by request of Governor Locke

Read first time 02/13/2003. Referred to Committee on Education.

1 AN ACT Relating to school district levy authority; amending RCW
2 84.52.0531 and 84.52.053; creating a new section; and providing an
3 expiration date.

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

5 NEW SECTION. **Sec. 1.** Any funding resulting from this act shall be
6 used solely for school district activities that supplement or are not
7 related to the state's basic program of education obligation as set
8 forth under Article IX of the state Constitution.

9 **Sec. 2.** RCW 84.52.0531 and 1997 c 259 s 2 are each amended to read
10 as follows:

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

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

17 (2) For excess levies for collection in calendar year 1998 and

1 thereafter, the maximum dollar amount shall be the sum of (a) plus or
2 minus (b) and (c) of this subsection minus (d) of this subsection:

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

6 (b) For districts in a high/nonhigh relationship, the high school
7 district's maximum levy amount shall be reduced and the nonhigh school
8 district's maximum levy amount shall be increased by an amount equal to
9 the estimated amount of the nonhigh payment due to the high school
10 district under RCW 28A.545.030(3) and 28A.545.050 for the school year
11 commencing the year of the levy;

12 (c) For districts in an interdistrict cooperative agreement, the
13 nonresident school district's maximum levy amount shall be reduced and
14 the resident school district's maximum levy amount shall be increased
15 by an amount equal to the per pupil basic education allocation included
16 in the nonresident district's levy base under subsection (3) of this
17 section multiplied by:

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

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

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

26 (d) The district's maximum levy amount shall be reduced by the
27 maximum amount of state matching funds for which the district is
28 eligible under chapter 28A.500 RCW (~~(28A.500.010)~~).

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

1 tax levies or other local revenues, or state and federal allocations
2 not identified in (a) through (c) of this subsection.

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

5 (b) State and federal categorical allocations for the following
6 programs:

7 (i) Pupil transportation;
8 (ii) Special education;
9 (iii) Education of highly capable students;
10 (iv) Compensatory education, including but not limited to learning
11 assistance, migrant education, Indian education, refugee programs, and
12 bilingual education;
13 (v) Food services; and
14 (vi) Statewide block grant programs; and

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

18 (4) A district's maximum levy percentage shall be (~~twenty-two~~
19 ~~percent in 1998 and~~) twenty-four percent in (~~1999~~) 2003 and thirty-
20 six percent in 2004 and every year thereafter; plus, for qualifying
21 districts, the grandfathered percentage determined as follows:

22 (~~For 1997, the difference between the district's 1993 maximum~~
23 ~~levy percentage and twenty percent; and~~
24 ~~(b)~~) For 1998 (~~and thereafter~~) through 2003, the percentage
25 calculated as follows:

26 (i) Multiply the grandfathered percentage for the prior year times
27 the district's levy base determined under subsection (3) of this
28 section;

29 (ii) Reduce the result of (~~(b)~~) (a)(i) of this subsection by any
30 levy reduction funds as defined in subsection (5) of this section that
31 are to be allocated to the district for the current school year;

32 (iii) Divide the result of (~~(b)~~) (a)(ii) of this subsection by
33 the district's levy base; and

34 (iv) Take the greater of zero or the percentage calculated in
35 (~~(b)~~) (a)(iii) of this subsection.

36 (5) "Levy reduction funds" shall mean increases in state funds from
37 the prior school year for programs included under subsection (3) of
38 this section: (a) That are not attributable to enrollment changes,

1 compensation increases, or inflationary adjustments; and (b) that are
2 or were specifically identified as levy reduction funds in the
3 appropriations act. If levy reduction funds are dependent on formula
4 factors which would not be finalized until after the start of the
5 current school year, the superintendent of public instruction shall
6 estimate the total amount of levy reduction funds by using prior school
7 year data in place of current school year data. Levy reduction funds
8 shall not include moneys received by school districts from cities or
9 counties.

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

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

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

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

20 **Sec. 3.** RCW 84.52.053 and 1997 c 260 s 1 are each amended to read
21 as follows:

22 The limitations imposed by RCW 84.52.050 through 84.52.056, and
23 84.52.043 shall not prevent the levy of taxes by school districts, when
24 authorized so to do by the voters of such school district in the manner
25 and for the purposes and number of years allowable under Article VII,
26 section 2(a) of the Constitution of this state. Elections for such
27 taxes shall be held in the year in which the levy is made or, in the
28 case of propositions authorizing two-year through four-year levies for
29 maintenance and operation support of a school district, authorizing
30 two-year levies for transportation vehicle funds established in RCW
31 28A.160.130, or authorizing two-year through six-year levies to support
32 the construction, modernization, or remodeling of school facilities, in
33 the year in which the first annual levy is made: PROVIDED, That once
34 additional tax levies have been authorized for maintenance and
35 operation support of a school district for a two-year through four-year
36 period, no further additional tax levies for maintenance and operation
37 support of the district for that period may be authorized except as

1 provided in this section. During calendar years 2004 through 2007,
2 school districts where voters have authorized a multiyear levy may seek
3 voter authorization for a second levy for maintenance and operations if
4 all of the following conditions are met:

5 (1) The district has a multiyear levy for maintenance and
6 operations during any of the calendar years 2004 through 2007 that was
7 authorized before or during calendar year 2003;

8 (2) The combined maintenance and operations levies shall not exceed
9 the maximum levy percentage established in RCW 84.52.0531(4); and

10 (3) The second levy for maintenance and operations expires before
11 or concurrent with the original maintenance and operation levy that was
12 approved before or during calendar year 2003.

13 A special election may be called and the time therefor fixed by the
14 board of school directors, by giving notice thereof by publication in
15 the manner provided by law for giving notices of general elections, at
16 which special election the proposition authorizing such excess levy
17 shall be submitted in such form as to enable the voters favoring the
18 proposition to vote "yes" and those opposed thereto to vote "no".

19 NEW SECTION. Sec. 4. Section 3 of this act expires January 1,
20 2008.

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