
SENATE BILL 5585

State of Washington 58th Legislature 2003 Regular Session

By Senators Swecker, Jacobsen, Oke, Spanel, Prentice, Haugen, Rasmussen, Parlette, Mulliken, Zarelli, Hale, Finkbeiner, Deccio and Horn

Read first time 01/31/2003. Referred to Committee on Highways & Transportation.

1 AN ACT Relating to transportation benefit districts; amending RCW
2 36.73.020, 36.73.040, 36.73.050, 36.73.060, 36.73.070, 36.73.080,
3 36.73.100, 36.73.110, 36.73.120, 36.73.130, 36.73.140, and 36.73.150;
4 adding new sections to chapter 36.73 RCW; adding a new section to
5 chapter 82.14 RCW; and adding new sections to chapter 82.80 RCW.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.73 RCW
8 to read as follows:

9 The definitions in this section apply throughout this chapter
10 unless the context clearly requires otherwise.

11 (1) "District" means a transportation benefit district created
12 under this chapter.

13 (2) "Entity" means a county, city, town, port district, county
14 transportation authority, or public transportation benefit area, with
15 boundaries outside of a county as defined in this section.

16 (3) "City" means a city or town.

17 (4) "County" means all counties of the state except a county with
18 a population greater than one million five hundred thousand persons and

1 its adjoining counties with a population greater than five hundred
2 thousand persons.

3 (5) "Transportation improvements" means:

4 (a) Capital improvements relating to, or in support of, all or a
5 portion of highways that have been designated, in whole or in part, as
6 highways of statewide significance, including associated multimodal
7 capital improvements; or

8 (b) Capital improvements to a city street, county road, or existing
9 highway or the creation of a new highway that intersects with a highway
10 of statewide significance, including associated multimodal capital
11 improvements, but only if the cumulative transportation benefit
12 district contribution to all projects constructed under this subsection
13 (5)(b) does not exceed ten percent of the revenues generated by the
14 district.

15 However, operations, preservation, and maintenance are excluded
16 from the definition of transportation improvements under this
17 subsection (5).

18 **Sec. 2.** RCW 36.73.020 and 1989 c 53 s 1 are each amended to read
19 as follows:

20 (1) The legislative authority of a county or other entity as
21 defined in this section may establish ((one or more)) a transportation
22 benefit district((s)) within the ((county)) area as specified in
23 subsection (2) of this section, for the purpose of acquiring,
24 constructing, improving, providing, and funding ((any city street,
25 county road, or state highway)) transportation improvements within the
26 district that ((is (1))) are: (a) Consistent with any existing state,
27 regional, and local transportation plans((, (2))); (b) necessitated by
28 existing or reasonably foreseeable congestion levels attributable to
29 economic growth((, and (3))); and (c) partially funded by local
30 government or private developer contributions, or a combination of
31 ((such)) these contributions. ((Such)) The transportation improvements
32 shall be owned by the county of jurisdiction if located in an
33 unincorporated area, by the city of jurisdiction if located in an
34 incorporated area, by the port district, if it is reasonable under the
35 circumstances to have the port district own the transportation
36 improvement and the improvement is located within the boundaries of the
37 port district, regardless of whether the boundaries of the port

1 district coincide with those of another participating entity, or by the
2 state in cases where the transportation improvement is or becomes a
3 state highway(~~(; and all such)~~)). Transportation improvements shall be
4 administered and maintained as other public streets, roads, and
5 highways. (~~The district may not include any area within the corporate~~
6 limits of a city unless the city legislative authority has agreed to
7 the inclusion pursuant to chapter 39.34 RCW. The agreement shall
8 specify the area and such powers as may be granted to the benefit
9 district.))

10 (2) The district may include area within more than one entity if
11 the legislative authority of each participating entity has agreed to
12 the inclusion as provided in an interlocal agreement adopted pursuant
13 to chapter 39.34 RCW. However, the boundaries of the district shall
14 include all territory within the boundaries of the participating
15 entities establishing the district.

16 (3) The members of the (~~county~~) legislative authority proposing
17 to establish the district, acting ex officio and independently, shall
18 (~~compose~~) constitute the governing body of the district: PROVIDED,
19 That where a (~~transportation benefit~~) district includes (~~any portion~~
20 of an incorporated city, town, or another county, the district may be
21 governed as provided in an interlocal agreement adopted pursuant to
22 chapter 39.34 RCW)) more than one entity under subsection (2) of this
23 section, the district shall be governed by a governing board composed
24 of at least five members including at least one elected official from
25 each of the participating entities' legislative authorities. The
26 members of the governing board shall be appointed by, and serve at the
27 pleasure of, their respective legislative authorities. The county
28 treasurer shall act as the ex officio treasurer of the district if the
29 county is a member of the district. If the county is not a member of
30 the district, then the treasurer of the entity proposing to establish
31 a district shall serve as the district treasurer, unless an interlocal
32 agreement states otherwise. The electors of the district shall all be
33 registered voters residing within the district. (~~For purposes of this~~
34 section, the term "city" means both cities and towns.))

35 **Sec. 3.** RCW 36.73.040 and 1989 c 53 s 3 are each amended to read
36 as follows:

37 (1) A transportation benefit district is a quasi-municipal

1 corporation, an independent taxing "authority" within the meaning of
2 Article VII, section 1 of the state Constitution, and a "taxing
3 district" within the meaning of Article VII, section 2 of the state
4 Constitution.

5 (2) A transportation benefit district constitutes a body corporate
6 and possesses all the usual powers of a corporation for public purposes
7 as well as all other powers that may now or hereafter be specifically
8 conferred by statute, including, but not limited to, the authority to
9 hire employees, staff, and services, to enter into contracts, to
10 acquire, hold, and dispose of real and personal property, and to sue
11 and be sued. Public works contract limits applicable to the
12 jurisdiction that established the district (~~shall~~) apply to the
13 district.

14 (3) Subject to the provisions of section 19 of this act, a district
15 is authorized to impose the following taxes, fees, and tolls:

16 (a) A sales and use tax in accordance with section 14 of this act;

17 (b) A special excise tax on vehicles in accordance with section 15
18 of this act;

19 (c) A vehicle fee in accordance with section 16 of this act;

20 (d) An employer excise tax in accordance with section 17 of this
21 act;

22 (e) A parking tax in accordance with section 18 of this act; and

23 (f) Vehicle tolls on new or reconstructed facilities. Unless
24 otherwise specified by law, the department of transportation shall
25 administer the collection of vehicle tolls on designated facilities,
26 and the state transportation commission, or its successor, shall be the
27 tolling authority.

28 **Sec. 4.** RCW 36.73.050 and 1987 c 327 s 5 are each amended to read
29 as follows:

30 (1) (~~A city or county~~) The legislative (~~authority~~) authorities
31 proposing to establish a (~~transportation benefit~~) district, or to
32 modify the boundaries of an existing district, or to dissolve an
33 existing district(~~(7)~~) shall conduct a hearing at the time and place
34 specified in a notice published at least once, not less than ten days
35 before the hearing, in a newspaper of general circulation within the
36 proposed district. The legislative (~~authority~~) authorities shall
37 make provision for a district to be automatically dissolved when all

1 indebtedness of the district has been retired and anticipated
2 responsibilities have been satisfied. This notice shall be in addition
3 to any other notice required by law to be published. The notice shall,
4 where applicable, specify the functions or activities proposed to be
5 provided or funded, or the additional functions or activities proposed
6 to be provided or funded, by the district. Additional notice of the
7 hearing may be given by mail, by posting within the proposed district,
8 or in any manner the ~~((city or county))~~ legislative ~~((authority deems))~~
9 authorities deem necessary to notify affected persons. All hearings
10 shall be public and the ~~((city or county))~~ legislative ~~((authority))~~
11 authorities shall hear objections from any person affected by the
12 formation, modification of the boundaries, or dissolution of the
13 district.

14 (2) Following the hearing held pursuant to subsection (1) of this
15 section, the ~~((city or county))~~ legislative ~~((authority))~~ authorities
16 may establish a ~~((transportation benefit))~~ district, modify the
17 boundaries or functions of an existing district, or dissolve an
18 existing district, if the ~~((city or county))~~ legislative ~~((authority~~
19 ~~finds))~~ authorities find the action to be in the public interest and
20 ~~((adopts))~~ adopt an ordinance providing for the action. The ordinance
21 establishing a district shall specify the functions or activities to be
22 exercised or funded and establish the boundaries of the district. A
23 district shall include only those areas which can reasonably be
24 expected to benefit from improvements to be funded by the district.
25 Functions or activities proposed to be provided or funded by the
26 district may not be expanded beyond those specified in the notice of
27 hearing, unless additional notices are made, further hearings on the
28 expansion are held, and further determinations are made that it is in
29 the public interest to so expand the functions or activities proposed
30 to be provided or funded.

31 ~~((3) At any time before the city or county legislative authority~~
32 ~~establishes a transportation benefit district pursuant to this section,~~
33 ~~all further proceedings shall be terminated upon the filing of a~~
34 ~~verified declaration of termination signed by the owners of real~~
35 ~~property consisting of at least sixty percent of the assessed valuation~~
36 ~~in the proposed district.))~~

1 **Sec. 5.** RCW 36.73.060 and 1987 c 327 s 6 are each amended to read
2 as follows:

3 (1) A (~~transportation benefit~~) district may levy an ad valorem
4 property tax in excess of the one percent limitation upon the property
5 within the district for a one-year period whenever authorized by the
6 voters of the district pursuant to RCW 84.52.052 and Article VII,
7 section 2(a) of the state Constitution.

8 (2) A district may provide for the retirement of voter-approved
9 general obligation bonds, issued for capital purposes only, by levying
10 bond retirement ad valorem property tax levies in excess of the one
11 percent limitation whenever authorized by the voters of the district
12 pursuant to Article VII, section 2(b) of the state Constitution and RCW
13 84.52.056.

14 **Sec. 6.** RCW 36.73.070 and 1987 c 327 s 7 are each amended to read
15 as follows:

16 (1) To carry out the purpose of this chapter, a (~~transportation~~
17 ~~benefit~~) district may issue general obligation bonds, not to exceed an
18 amount, together with any other outstanding nonvoter-approved general
19 obligation indebtedness, equal to three-eighths of one percent of the
20 value of taxable property within the district, as the term "value of
21 taxable property" is defined in RCW 39.36.015. A district may
22 additionally issue general obligation bonds for capital purposes only,
23 together with any outstanding general obligation indebtedness, not to
24 exceed an amount equal to one and one-fourth percent of the value of
25 the taxable property within the district, as the term "value of taxable
26 property" is defined in RCW 39.36.015, when authorized by the voters of
27 the district pursuant to Article VIII, section 6 of the state
28 Constitution, and to provide for the retirement thereof by excess
29 property tax levies as provided in RCW 36.73.060(2). The district may
30 submit a single proposition to the voters that, if approved, authorizes
31 both the issuance of the bonds and the bond retirement property tax
32 levies.

33 (2) General obligation bonds with a maturity in excess of forty
34 years shall not be issued. The governing body of the (~~transportation~~
35 ~~benefit~~) district shall by resolution determine for each general
36 obligation bond issue the amount, date, terms, conditions,
37 denominations, maximum fixed or variable interest rate or rates,

1 maturity or maturities, redemption rights, registration privileges,
2 manner of execution, manner of sale, callable provisions, if any,
3 covenants, and form, including registration as to principal and
4 interest, registration as to principal only, or bearer. Registration
5 may include, but not be limited to: (a) A book entry system of
6 recording the ownership of a bond whether or not physical bonds are
7 issued; or (b) recording the ownership of a bond together with the
8 requirement that the transfer of ownership may only be effected by the
9 surrender of the old bond and either the reissuance of the old bond or
10 the issuance of a new bond to the new owner. Facsimile signatures may
11 be used on the bonds and any coupons. Refunding general obligation
12 bonds may be issued in the same manner as general obligation bonds are
13 issued.

14 (3) Whenever general obligation bonds are issued to fund specific
15 projects or enterprises that generate revenues, charges, user fees, or
16 special assessments, the (~~transportation benefit~~) district (~~which~~
17 ~~issues the bonds~~) may specifically pledge all or a portion of the
18 revenues, charges, user fees, or special assessments to refund the
19 general obligation bonds. The district may also pledge any other
20 revenues that may be available to the district.

21 (4) The issuance of bonds under this section is subject to the
22 provisions in section 19 of this act.

23 **Sec. 7.** RCW 36.73.080 and 1987 c 327 s 8 are each amended to read
24 as follows:

25 (1) A (~~transportation benefit~~) district may form a local
26 improvement district to provide any transportation improvement it has
27 the authority to provide, impose special assessments on all property
28 specially benefited by the transportation improvements, and issue
29 special assessment bonds or revenue bonds to fund the costs of the
30 transportation improvement. Local improvement districts shall be
31 created and assessments shall be made and collected pursuant to
32 chapters 35.43, 35.44, 35.49, 35.50, 35.51, 35.53, and 35.54 RCW.

33 (2) The governing body of a (~~transportation benefit~~) district
34 shall by resolution establish for each special assessment bond issue
35 the amount, date, terms, conditions, denominations, maximum fixed or
36 variable interest rate or rates, maturity or maturities, redemption
37 rights, registration privileges, if any, covenants, and form, including

1 registration as to principal and interest, registration as to principal
2 only, or bearer. Registration may include, but not be limited to: (a)
3 A book entry system of recording the ownership of a bond whether or not
4 physical bonds are issued; or (b) recording the ownership of a bond
5 together with the requirement that the transfer of ownership may only
6 be effected by the surrender of the old bond and either the reissuance
7 of the old bond or the issuance of a new bond to the new owner.
8 Facsimile signatures may be used on the bonds and any coupons. The
9 maximum term of any special assessment bonds shall not exceed thirty
10 years beyond the date of issue. Special assessment bonds issued
11 pursuant to this section shall not be an indebtedness of the
12 (~~transportation benefit~~) district issuing the bonds, and the interest
13 and principal on the bonds shall only be payable from special
14 assessments made for the improvement for which the bonds were issued
15 and any local improvement guaranty fund that the (~~transportation~~
16 ~~benefit~~) district has created. The owner or bearer of a special
17 assessment bond or any interest coupon issued pursuant to this section
18 shall not have any claim against the (~~transportation benefit~~)
19 district arising from the bond or coupon except for the payment from
20 special assessments made for the improvement for which the bonds were
21 issued and any local improvement guaranty fund the (~~transportation~~
22 ~~benefit~~) district has created. The district issuing the special
23 assessment bonds is not liable to the owner or bearer of any special
24 assessment bond or any interest coupon issued pursuant to this section
25 for any loss occurring in the lawful operation of its local improvement
26 guaranty fund. The substance of the limitations included in this
27 subsection (2) shall be plainly printed, written, or engraved on each
28 special assessment bond issued pursuant to this section.

29 (3) Assessments shall reflect any credits given by a
30 (~~transportation benefit~~) district for real property or property right
31 donations made pursuant to RCW 47.14.030.

32 (4) The governing body may establish and pay (~~moneys~~) money into
33 a local improvement guaranty fund to guarantee special assessment bonds
34 issued by the (~~transportation benefit~~) district.

35 **Sec. 8.** RCW 36.73.100 and 1987 c 327 s 10 are each amended to read
36 as follows:

37 (1) The proceeds of any bond issued pursuant to RCW 36.73.070 or

1 36.73.080 may be used to pay costs incurred on (~~such~~) a bond issue
2 related to the sale and issuance of the bonds. (~~Such~~) These costs
3 include payments for fiscal and legal expenses, obtaining bond ratings,
4 printing, engraving, advertising, and other similar activities.

5 (2) In addition, proceeds of bonds used to fund capital projects
6 may be used to pay the necessary and related engineering,
7 architectural, planning, and inspection costs.

8 **Sec. 9.** RCW 36.73.110 and 1987 c 327 s 11 are each amended to read
9 as follows:

10 A (~~transportation benefit~~) district may accept and expend or use
11 gifts, grants, and donations.

12 **Sec. 10.** RCW 36.73.120 and 1988 c 179 s 7 are each amended to read
13 as follows:

14 (1) (~~A transportation benefit~~) Subject to the provisions in
15 section 19 of this act, a district may impose a fee or charge on the
16 construction or reconstruction of residential buildings, commercial
17 buildings, industrial buildings, or on any other building or building
18 space or appurtenance (~~thereto~~), or on the development, subdivision,
19 classification, or reclassification of land only if done in accordance
20 with chapter 39.92 RCW.

21 (2) Any fee or charge imposed under this section shall be used
22 exclusively for transportation improvements constructed by a
23 (~~transportation benefit~~) district. The fees or charges (~~so~~)
24 imposed must be reasonably necessary as a result of the impact of
25 development, construction, or classification or reclassification of
26 land on identified transportation needs.

27 (~~(3) When fees or charges are imposed by a district within which~~
28 ~~there is more than one city or both incorporated and unincorporated~~
29 ~~areas, the legislative authority for each city in the district and the~~
30 ~~county legislative authority for the unincorporated area must approve~~
31 ~~the imposition of such fees or charges before they take effect.))~~

32 **Sec. 11.** RCW 36.73.130 and 1987 c 327 s 13 are each amended to
33 read as follows:

34 A (~~transportation benefit~~) district may exercise the power of

1 eminent domain to obtain property for its authorized purposes in the
2 same manner as authorized for the ((~~city or county~~)) legislative
3 authority of the entity that established the district.

4 **Sec. 12.** RCW 36.73.140 and 1987 c 327 s 14 are each amended to
5 read as follows:

6 A ((~~transportation benefit~~)) district has the same powers as a
7 county or city to contract for street, road, or state highway
8 improvement projects and to enter into reimbursement contracts provided
9 for in chapter 35.72 RCW.

10 **Sec. 13.** RCW 36.73.150 and 1987 c 327 s 15 are each amended to
11 read as follows:

12 The department of transportation, counties, ((~~and~~)) cities, and
13 other jurisdictions may give funds to ((~~transportation benefit~~))
14 districts for the purposes of financing ((~~street, road, or highway~~))
15 transportation improvement projects.

16 NEW SECTION. **Sec. 14.** A new section is added to chapter 82.14 RCW
17 to read as follows:

18 (1) Subject to the provisions in section 19 of this act, a
19 transportation benefit district under chapter 36.73 RCW may fix and
20 impose a sales and use tax in accordance with the terms of this
21 chapter. The tax authorized in this section is in addition to any
22 other taxes authorized by law and shall be collected from those persons
23 who are taxable by the state under chapters 82.08 and 82.12 RCW upon
24 the occurrence of any taxable event within the boundaries of the
25 district. The rate of tax shall not exceed five-tenths of one percent
26 of the selling price in the case of a sales tax, or value of the
27 article used, in the case of a use tax.

28 (2) Money received from the tax imposed under this section must be
29 spent in accordance with the requirements of chapter 36.73 RCW.

30 NEW SECTION. **Sec. 15.** A new section is added to chapter 82.80 RCW
31 to read as follows:

32 (1) Subject to the provisions of section 19 of this act, a
33 transportation benefit district under chapter 36.73 RCW has the power
34 to levy and collect a special excise tax not exceeding three-tenths of

1 one percent on the value of every motor vehicle, from registered owners
2 whose primary place of domicile is within the boundaries of the
3 district, for the privilege of using a motor vehicle.

4 (2) The department of licensing will administer and collect the
5 tax. The department will deduct a percentage amount, as provided by
6 contract, not to exceed two percent of the taxes collected, for
7 administration and collection expenses incurred by it. The remaining
8 proceeds will be remitted to the custody of the state treasurer for
9 monthly distribution to the district.

10 (3) The district will delay the effective date at least six months
11 from the date the tax is approved by the district to allow the
12 department of licensing adequate time to implement procedures to
13 administer and collect the tax.

14 (4) "Registered owner" has the same meaning as provided in chapter
15 46.04 RCW.

16 NEW SECTION. **Sec. 16.** A new section is added to chapter 82.80 RCW
17 to read as follows:

18 (1) Subject to the provisions of section 19 of this act, a
19 transportation benefit district has the power to fix and impose a fee,
20 not to exceed one hundred dollars per vehicle, for each vehicle subject
21 to license tab fees under RCW 46.16.0621 and for each vehicle subject
22 to gross weight fees under RCW 46.16.070 with an unladen weight of six
23 thousand pounds or less from registered owners whose primary place of
24 domicile is within the boundaries of the district.

25 (2) The department of licensing will administer and collect the
26 fee. The department will deduct a percentage amount, as provided by
27 contract, not to exceed two percent of the fees collected, for
28 administration and collection expenses incurred by it. The remaining
29 proceeds will be remitted to the custody of the state treasurer for
30 monthly distribution to the district.

31 (3) The district imposing this fee will delay the effective date at
32 least six months from the date the fee is approved by the district to
33 allow the department of licensing adequate time to implement procedures
34 to administer and collect the fee.

35 (4) "Registered owner" has the same meaning as provided in chapter
36 46.04 RCW.

1 NEW SECTION. **Sec. 17.** A new section is added to chapter 82.80 RCW
2 to read as follows:

3 (1)(a) Subject to the provisions of section 19 of this act, a
4 transportation benefit district under chapter 36.73 RCW may impose an
5 excise tax of up to two dollars per employee per month on all employers
6 or any class or classes of employers, public and private, including the
7 state located in the agency's jurisdiction, measured by the number of
8 full-time equivalent employees. In no event may the total taxes
9 imposed under this section exceed two dollars per employee per month
10 for any single employer. The district imposing the tax authorized in
11 this section may provide for exemptions from the tax to such
12 educational, cultural, health, charitable, or religious organizations
13 as it deems appropriate.

14 (b) Transportation benefit districts may contract with the state
15 department of revenue or other appropriate entities for administration
16 and collection of the tax. Such contract shall provide for deduction
17 of an amount for administration and collection expenses.

18 (2) The tax shall not apply to employment of a person when the
19 employer has paid for at least half of the cost of a transit pass
20 issued by a transit agency for that employee, valid for the period for
21 which the tax would otherwise be owed.

22 (3)(a) A transportation benefit district shall adopt rules that
23 exempt from all or a portion of the tax any employer that has entered
24 into an agreement with the district that is designed to reduce the
25 proportion of employees who drive in single-occupant vehicles during
26 peak commuting periods in proportion to the degree that the agreement
27 is designed to meet the goals for the employer's location adopted under
28 RCW 81.100.040.

29 (b) The agreement shall include a list of specific actions that the
30 employer will undertake to be entitled to the exemption. Employers
31 having an exemption from all or part of the tax through this subsection
32 shall annually certify to the district that the employer is fulfilling
33 the terms of the agreement. The exemption continues as long as the
34 employer is in compliance with the agreement.

35 NEW SECTION. **Sec. 18.** A new section is added to chapter 82.80 RCW
36 to read as follows:

37 (1) Subject to the conditions of this section and section 19 of

1 this act, a transportation benefit district under chapter 36.73 RCW may
2 fix and impose a parking tax on all persons engaged in a commercial
3 parking business within its respective jurisdiction.

4 (2) In lieu of the tax in subsection (1) of this section, a
5 transportation benefit district may fix and impose, subject to the
6 provisions of section 19 of this act, a tax for the act or privilege of
7 parking a motor vehicle in a facility operated by a commercial parking
8 business.

9 The district may provide that:

10 (a) The tax is paid by the operator or owner of the motor vehicle;

11 (b) The tax applies to all parking for which a fee is paid, whether
12 paid or leased, including parking supplied with a lease of
13 nonresidential space;

14 (c) The tax is collected by the operator of the facility and
15 remitted to the district;

16 (d) The tax is a fee per vehicle or is measured by the parking
17 charge;

18 (e) The tax rate varies with zoning or location of the facility,
19 the duration of the parking, the time of entry or exit, the type or use
20 of the vehicle, or other reasonable factors; and

21 (f) Tax exempt carpools, vehicles with handicapped decals, or
22 government vehicles are exempt from the tax.

23 (3) "Commercial parking business" as used in this section, means
24 the ownership, lease, operation, or management of a commercial parking
25 lot in which fees are charged. "Commercial parking lot" means a
26 covered or uncovered area with stalls for the purpose of parking motor
27 vehicles.

28 (4) The rate of the tax under subsection (1) of this section may be
29 based either upon gross proceeds or the number of vehicle stalls
30 available for commercial parking use. The rates charged must be
31 uniform for the same class or type of commercial parking business.

32 (5) The transportation benefit district levying the tax provided
33 for in subsection (1) or (2) of this section may provide for its
34 payment on a monthly, quarterly, or annual basis. The district may
35 develop by ordinance or resolution rules for administering the tax,
36 including provisions for reporting by commercial parking businesses,
37 collection, and enforcement.

1 (6) The proceeds of the parking tax imposed by a district must be
2 used as provided in chapter 36.73 RCW.

3 NEW SECTION. **Sec. 19.** A new section is added to chapter 36.73 RCW
4 to read as follows:

5 (1) Taxes, fees, and tolls may not be imposed, nor may any debt be
6 incurred, by a district without either: (a) Approval from the
7 legislative authorities of each entity belonging to the district; or
8 (b) approval from the voters within the boundaries of the district as
9 provided in subsection (2) of this section.

10 (2) The district may certify the revenue options under subsection
11 (1) of this section to the ballot, specifically identifying the tax
12 options necessary to fund the transportation projects proposed by the
13 district. The district shall draft a ballot title, give notice as
14 required by law for ballot measures, and perform other duties as
15 required to put the plan before the voters of the district for their
16 approval or rejection as a single ballot measure. The electorate will
17 be the registered voters residing within the boundaries of the
18 district. A simple majority of the total persons voting on the single
19 ballot measure to approve the revenue plan is required for approval.

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