
SENATE BILL 6141

State of Washington

59th Legislature

2006 Regular Session

By Senator Honeyford

Read first time 01/09/2006. Referred to Committee on Water, Energy & Environment.

1 AN ACT Relating to including the value of electric generation wind
2 turbine facilities in the property tax levy limit calculation; and
3 amending RCW 84.55.010, 84.55.015, 84.55.020, 84.55.030, 84.55.080, and
4 84.55.120.

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

6 **Sec. 1.** RCW 84.55.010 and 1997 c 3 s 202 are each amended to read
7 as follows:

8 Except as provided in this chapter, the levy for a taxing district
9 in any year shall be set so that the regular property taxes payable in
10 the following year shall not exceed the limit factor multiplied by the
11 amount of regular property taxes lawfully levied for such district in
12 the highest of the three most recent years in which such taxes were
13 levied for such district plus an additional dollar amount calculated by
14 multiplying the increase in assessed value in that district resulting
15 from new construction, increases in assessed value due to construction
16 of electric generation wind turbine facilities otherwise classified as
17 personal property, improvements to property, and any increase in the
18 assessed value of state-assessed property by the regular property tax
19 levy rate of that district for the preceding year.

1 **Sec. 2.** RCW 84.55.015 and 1999 c 96 s 1 are each amended to read
2 as follows:

3 If a taxing district has not levied since 1985 and elects to
4 restore a regular property tax levy subject to applicable statutory
5 limitations then such first restored levy shall be set so that the
6 regular property tax payable shall not exceed the amount which was last
7 levied, plus an additional dollar amount calculated by multiplying the
8 increase in assessed value in the district since the last levy
9 resulting from new construction (~~and~~), increases in assessed value
10 due to construction of electric generation wind turbine facilities
11 otherwise classified as personal property, improvements to property,
12 and any increase in the assessed value of state-assessed property by
13 the property tax rate which is proposed to be restored, or the maximum
14 amount which could be lawfully levied in the year such a restored levy
15 is proposed.

16 **Sec. 3.** RCW 84.55.020 and 1997 c 3 s 203 are each amended to read
17 as follows:

18 Notwithstanding the limitation set forth in RCW 84.55.010, the
19 first levy for a taxing district created from consolidation of similar
20 taxing districts shall be set so that the regular property taxes
21 payable in the following year shall not exceed the limit factor
22 multiplied by the sum of the amount of regular property taxes lawfully
23 levied for each component taxing district in the highest of the three
24 most recent years in which such taxes were levied for such district
25 plus the additional dollar amount calculated by multiplying the
26 increase in assessed value in each component district resulting from
27 new construction (~~and~~), increases in assessed value due to
28 construction of electric generation wind turbine facilities otherwise
29 classified as personal property, improvements to property, and any
30 increase in the assessed value of state-assessed property by the
31 regular property tax rate of each component district for the preceding
32 year.

33 **Sec. 4.** RCW 84.55.030 and 1973 1st ex.s. c 195 s 107 are each
34 amended to read as follows:

35 For the first levy for a taxing district following annexation of
36 additional property, the limitation set forth in RCW 84.55.010 shall be

1 increased by an amount equal to (1) the aggregate assessed valuation of
2 the newly annexed property as shown by the current completed and
3 balanced tax rolls of the county or counties within which such property
4 lies, multiplied by (2) the dollar rate that would have been used by
5 the annexing unit in the absence of such annexation, plus (3) the
6 additional dollar amount calculated by multiplying the increase in
7 assessed value in the annexing district resulting from new
8 constructions (~~and~~), increases in assessed value due to construction
9 of electric generation wind turbine facilities otherwise classified as
10 personal property, improvements to property, and any increase in the
11 assessed value of state-assessed property by the regular property tax
12 levy rate of that annexing taxing district for the preceding year.

13 **Sec. 5.** RCW 84.55.080 and 1982 1st ex.s. c 42 s 12 are each
14 amended to read as follows:

15 Pursuant to chapter 39.88 RCW, any increase in the assessed value
16 of real property within an apportionment district resulting from new
17 construction, increases in assessed value due to construction of
18 electric generation wind turbine facilities otherwise classified as
19 personal property, improvements to property, or any increase in the
20 assessed value of state-assessed property shall not be included in the
21 increase in assessed value resulting from new construction, increases
22 in assessed value due to construction of electric generation wind
23 turbine facilities otherwise classified as personal property,
24 improvements, or any increase in the assessed value of state-assessed
25 property for purposes of calculating any limitations upon regular
26 property taxes under this chapter until the termination of
27 apportionment as set forth in RCW 39.88.070(4), as now or hereafter
28 amended, except to the extent a taxing district actually will receive
29 the taxes levied upon this value. Tax allocation revenues, as defined
30 in RCW 39.88.020, as now or hereafter amended, shall not be deemed to
31 be "regular property taxes" for purposes of this chapter.

32 **Sec. 6.** RCW 84.55.120 and 1997 c 3 s 209 are each amended to read
33 as follows:

34 A taxing district, other than the state, that collects regular
35 levies shall hold a public hearing on revenue sources for the
36 district's following year's current expense budget. The hearing must

1 include consideration of possible increases in property tax revenues
2 and shall be held prior to the time the taxing district levies the
3 taxes or makes the request to have the taxes levied. The county
4 legislative authority, or the taxing district's governing body if the
5 district is a city, town, or other type of district, shall hold the
6 hearing. For purposes of this section, "current expense budget" means
7 that budget which is primarily funded by taxes and charges and reflects
8 the provision of ongoing services. It does not mean the capital,
9 enterprise, or special assessment budgets of cities, towns, counties,
10 or special purpose districts.

11 If the taxing district is otherwise required to hold a public
12 hearing on its proposed regular tax levy, a single public hearing may
13 be held on this matter.

14 No increase in property tax revenue, other than that resulting from
15 the addition of new construction, increases in assessed value due to
16 construction of electric generation wind turbine facilities otherwise
17 classified as personal property, and improvements to property and any
18 increase in the value of state-assessed property, may be authorized by
19 a taxing district, other than the state, except by adoption of a
20 separate ordinance or resolution, pursuant to notice, specifically
21 authorizing the increase in terms of both dollars and percentage. The
22 ordinance or resolution may cover a period of up to two years, but the
23 ordinance shall specifically state for each year the dollar increase
24 and percentage change in the levy from the previous year.

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