

SHB 2554 - S COMM AMD

By Committee on Ways & Means

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

3 "Sec. 1. RCW 84.55.050 and 2007 c 380 s 2 are each amended to read  
4 as follows:

5 (1) Subject to any otherwise applicable statutory dollar rate  
6 limitations, regular property taxes may be levied by or for a taxing  
7 district in an amount exceeding the limitations provided for in this  
8 chapter if such levy is authorized by a proposition approved by a  
9 majority of the voters of the taxing district voting on the proposition  
10 at a general election held within the district or at a special election  
11 within the taxing district called by the district for the purpose of  
12 submitting such proposition to the voters. Any election held pursuant  
13 to this section shall be held not more than twelve months prior to the  
14 date on which the proposed levy is to be made, except as provided in  
15 subsection (2) of this section. The ballot of the proposition shall  
16 state the dollar rate proposed and shall clearly state the conditions,  
17 if any, which are applicable under subsection (4) of this section.

18 (2) Subject to statutory dollar limitations, a proposition placed  
19 before the voters under this section may authorize annual increases in  
20 levies for multiple consecutive years, up to six consecutive years,  
21 during which period each year's authorized maximum legal levy shall be  
22 used as the base upon which an increased levy limit for the succeeding  
23 year is computed, but the ballot proposition must state the dollar rate  
24 proposed only for the first year of the consecutive years and must  
25 state the limit factor, or a specified index to be used for determining  
26 a limit factor, such as the consumer price index, which need not be the  
27 same for all years, by which the regular tax levy for the district may  
28 be increased in each of the subsequent consecutive years. Elections  
29 for this purpose must be held at a primary or general election. The  
30 title of each ballot measure must state the (~~specific~~) limited

1 purposes for which the proposed annual increases during the specified  
2 period of up to six consecutive years shall be used, and funds raised  
3 under the levy shall not supplant existing funds used for these  
4 purposes. For purposes of this subsection, existing funds means the  
5 actual operating expenditures for the calendar year in which the ballot  
6 measure is approved by voters. Actual operating expenditures excludes  
7 lost federal funds, lost or expired state grants or loans,  
8 extraordinary events not likely to reoccur, changes in contract  
9 provisions beyond the control of the taxing district receiving the  
10 services, and major nonrecurring capital expenditures.

11 (3) After a levy authorized pursuant to this section is made, the  
12 dollar amount of such levy (~~shall~~) may not be used for the purpose of  
13 computing the limitations for subsequent levies provided for in this  
14 chapter, (~~except as provided in subsection (5) of this section~~)  
15 unless the ballot proposition expressly states that the levy made under  
16 this section will be used for this purpose.

17 (4) If expressly stated, a proposition placed before the voters  
18 under subsection (1) or (2) of this section may:

19 (a) Use the dollar amount of a levy under subsection (1) of this  
20 section, or the dollar amount of the final levy under subsection (2) of  
21 this section, for the purpose of computing the limitations for  
22 subsequent levies provided for in this chapter;

23 (b) Limit the period for which the increased levy is to be made  
24 under (a) of this subsection;

25 (~~(b)~~) (c) Limit the purpose for which the increased levy is to be  
26 made under (a) of this subsection, but if the limited purpose includes  
27 making redemption payments on bonds, the period for which the increased  
28 levies are made shall not exceed nine years;

29 (~~(c)~~) (d) Set the levy or levies at a rate less than the maximum  
30 rate allowed for the district; or

31 (~~(d)~~) (e) Include any combination of the conditions in this  
32 subsection.

33 (5) Except as otherwise (~~provided~~) expressly stated in an  
34 approved ballot measure under this section, (~~after the expiration of~~  
35 ~~a limited period under subsection (4)(a) of this section or the~~  
36 ~~satisfaction of a limited purpose under subsection (4)(b) of this~~  
37 ~~section, whichever comes first,)~~ subsequent levies shall be computed  
38 as if:

1 (a) The ((~~limited~~)) proposition under ((~~subsection (4) of~~)) this  
2 section had not been approved; and

3 (b) The taxing district had made levies at the maximum rates which  
4 would otherwise have been allowed under this chapter during the years  
5 levies were made under the ((~~limited~~)) proposition.

6 NEW SECTION. **Sec. 2.** This act applies prospectively only to levy  
7 lid lift ballot propositions under RCW 84.55.050 that receive voter  
8 approval on or after the effective date of this act.

9 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
10 preservation of the public peace, health, or safety, or support of the  
11 state government and its existing public institutions, and takes effect  
12 immediately."

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13 On page 1, line 1 of the title, after "propositions;" strike the  
14 remainder of the title and insert "amending RCW 84.55.050; creating a  
15 new section; and declaring an emergency."

EFFECT: An emergency clause is added as well as a section that  
clarifies that the provisions of the bill apply to voter approved lid  
lifts after the effective date of the act.

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