SB 6216 - S AMD 11
      By Senator Fairley

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

 3   "**Sec. 1.** RCW 84.55.050 and 2009 c 551 s 3 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)) the levy is authorized by a proposition approved by
 9   a majority of the voters of the taxing district voting on the
10   proposition at a general election held within the district or at a
11   special election within the taxing district called by the district for
12   the purpose of submitting ((such)) the proposition to the voters. Any
13   election held pursuant to this section ((shall)) must be held not more
14   than twelve months prior to the date on which the proposed levy is to
15   be made, except as provided in subsection (2) of this section. The
16   ballot of the proposition ((shall)) must state the dollar rate proposed
17   and ((shall)) must clearly state the conditions, if any, which are
18   applicable under subsection (4) of this section.
19   (2)(a) Subject to statutory dollar limitations, a proposition
20   placed before the voters under this section may authorize annual
21   increases in levies for multiple consecutive years, up to six
22   consecutive years, during which period each year's authorized maximum
23   legal levy ((shall)) must be used as the base upon which an increased
24   levy limit for the succeeding year is computed, but the ballot
25   proposition must state the dollar rate proposed only for the first year
26   of the consecutive years and must state the limit factor, or a
27   specified index to be used for determining a limit factor, such as the
28   consumer price index, which need not be the same for all years, by
29   which the regular tax levy for the district may be increased in each of

1   the subsequent consecutive years. <u>For any levy that is subject to</u>
2 <u>voter approval under this subsection, the ballot proposition also must</u>
3 <u>state the following:</u>
4   <u>(i) The currently existing dollar rate, as of the date the</u>
5 <u>proposition is subject to voter approval under this subsection; and</u>
6   <u>(ii) The amount the proposed dollar rate exceeds the currently</u>
7 <u>existing dollar rate.</u> Elections for this purpose must be held at a
8 primary or general election. The title of each ballot measure must
9 state the limited purposes for which the proposed annual increases
10 during the specified period of up to six consecutive years ((~~shall~~))
11 <u>must</u> be used.
12   (b)(i) Except as otherwise provided in this subsection (2)(b),
13 funds raised by a levy under this subsection may not supplant existing
14 funds used for the limited purpose specified in the ballot title. For
15 purposes of this subsection, existing funds means the actual operating
16 expenditures for the calendar year in which the ballot measure is
17 approved by voters. Actual operating expenditures excludes lost
18 federal funds, lost or expired state grants or loans, extraordinary
19 events not likely to reoccur, changes in contract provisions beyond the
20 control of the taxing district receiving the services, and major
21 nonrecurring capital expenditures.
22   (ii) The supplanting limitations in (b)(i) of this subsection do
23 not apply to levies approved by the voters in calendar years 2009,
24 2010, and 2011, in any county with a population of one million five
25 hundred thousand or more. This subsection (2)(b)(ii) only applies to
26 levies approved by the voters after July 26, 2009.
27   (iii) The supplanting limitations in (b)(i) of this subsection do
28 not apply to levies approved by the voters in calendar year 2009 and
29 thereafter in any county with a population less than one million five
30 hundred thousand. This subsection (2)(b)(iii) only applies to levies
31 approved by the voters after July 26, 2009.
32   (3) After a levy authorized pursuant to this section is made, the
33 dollar amount of such levy may not be used for the purpose of computing
34 the limitations for subsequent levies provided for in this chapter,
35 unless the ballot proposition expressly states that the levy made under
36 this section will be used for this purpose.
37   (4) If expressly stated, a proposition placed before the voters
38 under subsection (1) or (2) of this section may:

1   (a) Use the dollar amount of a levy under subsection (1) of this
2 section, or the dollar amount of the final levy under subsection (2) of
3 this section, for the purpose of computing the limitations for
4 subsequent levies provided for in this chapter;
5   (b) Limit the period for which the increased levy is to be made
6 under (a) of this subsection;
7   (c) Limit the purpose for which the increased levy is to be made
8 under (a) of this subsection, but if the limited purpose includes
9 making redemption payments on bonds, the period for which the increased
10 levies are made shall not exceed nine years;
11   (d) Set the levy or levies at a rate less than the maximum rate
12 allowed for the district; or
13   (e) Include any combination of the conditions in this subsection.
14   (5) Except as otherwise expressly stated in an approved ballot
15 measure under this section, subsequent levies ((shall)) must be
16 computed as if:
17   (a) The proposition under this section had not been approved; and
18   (b) The taxing district had made levies at the maximum rates which
19 would otherwise have been allowed under this chapter during the years
20 levies were made under the proposition."

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     By Senator

21   On page 1, line 2 of the title, after "lifts;" strike the remainder
22 of the title and insert "and amending RCW 84.55.050."

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