
HOUSE BILL 2578

State of Washington

61st Legislature

2010 Regular Session

By Representatives Seaquist, Rolfes, and Hudgins

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1 AN ACT Relating to disclosure of existing property tax levies on
2 ballot propositions subject to voter approval for levy lid lifts; and
3 amending RCW 84.55.050.

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

5 **Sec. 1.** RCW 84.55.050 and 2009 c 551 s 3 are each amended to read
6 as follows:

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

1 and (~~shall~~) must clearly state the conditions, if any, which are
2 applicable under subsection (4) of this section.

3 (2)(a) Subject to statutory dollar limitations, a proposition
4 placed before the voters under this section may authorize annual
5 increases in levies for multiple consecutive years, up to six
6 consecutive years, during which period each year's authorized maximum
7 legal levy (~~shall~~) must be used as the base upon which an increased
8 levy limit for the succeeding year is computed, but the ballot
9 proposition must state the dollar rate proposed only for the first year
10 of the consecutive years and must state the limit factor, or a
11 specified index to be used for determining a limit factor, such as the
12 consumer price index, which need not be the same for all years, by
13 which the regular tax levy for the district may be increased in each of
14 the subsequent consecutive years. For any levy that is subject to
15 voter approval under this section, the ballot proposition also must
16 state the following:

17 (i) The currently existing dollar rate, as of the date the
18 proposition is subject to voter approval under this section; and

19 (ii) The amount the proposed levy increase exceeds the currently
20 existing dollar rate. Elections for this purpose must be held at a
21 primary or general election. The title of each ballot measure must
22 state the limited purposes for which the proposed annual increases
23 during the specified period of up to six consecutive years (~~shall~~)
24 must be used.

25 (b)(i) Except as otherwise provided in this subsection (2)(b),
26 funds raised by a levy under this subsection may not supplant existing
27 funds used for the limited purpose specified in the ballot title. For
28 purposes of this subsection, existing funds means the actual operating
29 expenditures for the calendar year in which the ballot measure is
30 approved by voters. Actual operating expenditures excludes lost
31 federal funds, lost or expired state grants or loans, extraordinary
32 events not likely to reoccur, changes in contract provisions beyond the
33 control of the taxing district receiving the services, and major
34 nonrecurring capital expenditures.

35 (ii) The supplanting limitations in (b)(i) of this subsection do
36 not apply to levies approved by the voters in calendar years 2009,
37 2010, and 2011, in any county with a population of one million five

1 hundred thousand or more. This subsection (2)(b)(ii) only applies to
2 levies approved by the voters after July 26, 2009.

3 (iii) The supplanting limitations in (b)(i) of this subsection do
4 not apply to levies approved by the voters in calendar year 2009 and
5 thereafter in any county with a population less than one million five
6 hundred thousand. This subsection (2)(b)(iii) only applies to levies
7 approved by the voters after July 26, 2009.

8 (3) After a levy authorized pursuant to this section is made, the
9 dollar amount of such levy may not be used for the purpose of computing
10 the limitations for subsequent levies provided for in this chapter,
11 unless the ballot proposition expressly states that the levy made under
12 this section will be used for this purpose.

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

15 (a) Use the dollar amount of a levy under subsection (1) of this
16 section, or the dollar amount of the final levy under subsection (2) of
17 this section, for the purpose of computing the limitations for
18 subsequent levies provided for in this chapter;

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

21 (c) Limit the purpose for which the increased levy is to be made
22 under (a) of this subsection, but if the limited purpose includes
23 making redemption payments on bonds, the period for which the increased
24 levies are made shall not exceed nine years;

25 (d) Set the levy or levies at a rate less than the maximum rate
26 allowed for the district; or

27 (e) Include any combination of the conditions in this subsection.

28 (5) Except as otherwise expressly stated in an approved ballot
29 measure under this section, subsequent levies (~~shall~~) must be
30 computed as if:

31 (a) The proposition under this section had not been approved; and

32 (b) The taxing district had made levies at the maximum rates which
33 would otherwise have been allowed under this chapter during the years
34 levies were made under the proposition.

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