
SENATE BILL 6074

State of Washington

61st Legislature

2009 Regular Session

By Senator Keiser

Read first time 02/23/09. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to creating public health districts; amending RCW
2 84.52.052; and adding a new chapter to Title 36 RCW.

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

4 NEW SECTION. **Sec. 1.** (1)(a) The legislative authority of a county
5 may adopt an ordinance creating a public health district in all or a
6 portion of the area of the county, including the area within the
7 corporate limits of any city or town within the county.

8 (b) By resolution, the legislative authority of a county may opt to
9 join the legislative authority of another county or counties to adopt
10 an ordinance creating a joint public health district in all or a
11 portion of the area of the counties, including the area within the
12 corporate limits of any city or town within a county in the joint
13 public health district.

14 (c) An ordinance under this section may be adopted only after a
15 public hearing has been held on the creation of a public health
16 district, and each county legislative authority within the proposed
17 district makes a finding that it is in the public interest to create
18 the district.

1 (2) A public health district is a municipal corporation, an
2 independent taxing "authority" within the meaning of Article VII,
3 section 1 of the state Constitution, and a "taxing district" within the
4 meaning of Article VII, section 2 of the state Constitution.

5 (3) A public health district is a body corporate and possesses all
6 the usual powers of a corporation for public purposes as well as all
7 other powers that may now or hereafter be specifically conferred by
8 statute, including, but not limited to, the authority to hire
9 employees, staff, and services, to enter into contracts, and to sue and
10 be sued.

11 (4) The members of each county legislative authority within the
12 district, acting ex officio and independently, compose the governing
13 body of any public health district that is created within the county or
14 counties. The voters of a public health district must be registered
15 voters residing within the boundaries of the district.

16 (5) A county or counties proposing to create a public health
17 district for the purpose of funding operating costs associated with
18 public health services in the county or counties must first receive
19 approval from the governor after submitting a complete business plan to
20 the governor and the legislature by November 1, 2009. The business
21 plan must, at a minimum, include anticipated federal and local funding,
22 long-term operation and maintenance needs, and long-term financial
23 plan.

24 (6) For the purposes of this chapter, "district" has the same
25 meaning as "public health district."

26 NEW SECTION. **Sec. 2.** (1) To carry out the purposes for which
27 public health districts are created, the governing body of a public
28 health district may levy each year an ad valorem tax on all taxable
29 property located in the district not to exceed thirty cents per
30 thousand dollars of assessed value. The levy must be sufficient for
31 the provision of public health services as shown to be required by the
32 budget prepared by the governing body of the public health district.

33 (2) A tax imposed under this section may be used only for funding
34 the operating costs associated with providing public health services
35 within the county or counties in the district.

1 NEW SECTION. **Sec. 3.** (1) A public health district may incur
2 general indebtedness, and issue general obligation bonds, to finance
3 the operating costs associated with providing public health services
4 within the county or counties in the district and retire the
5 indebtedness in whole or in part from the revenues received from the
6 tax levy authorized in RCW 36.54.130.

7 (2) The ordinance adopted by the legislative authority creating the
8 county public health district and authorizing the use of revenues
9 received from the tax levy authorized in section 2 of this act must
10 indicate an intent to incur this indebtedness and the maximum amount of
11 this indebtedness that is contemplated.

12 NEW SECTION. **Sec. 4.** A public health district may impose excess
13 levies upon the property included within the district for a one-year
14 period to be used for operating purposes whenever authorized by the
15 electors of the district under RCW 84.52.052 and Article VII, section
16 2(a) of the state Constitution.

17 NEW SECTION. **Sec. 5.** The governing body of the public health
18 district must annually prepare a budget of the requirements of each
19 district fund.

20 NEW SECTION. **Sec. 6.** At the time of making general tax levies in
21 each year, each legislative authority of the county or counties in
22 which a public health district is located must make the required levies
23 for district purposes against the real and personal property in the
24 district. The tax levies must be a part of the general tax roll and be
25 collected as a part of the general taxes against the property in the
26 district.

27 NEW SECTION. **Sec. 7.** (1) The treasurer of the county in which a
28 public health district is located is treasurer of the district. If
29 there is more than one county in the public health district, then one
30 of the county treasurers from the counties in the district must be
31 chosen to be the district treasurer, in the form and manner determined
32 by the district governing body. The county treasurer must receive and
33 disburse public health district revenues, collect taxes authorized and

1 levied under this chapter, and credit district revenues to the proper
2 fund.

3 (2) The district treasurer must establish a public health district
4 fund, into which must be paid all district revenues, and the district
5 treasurer must also maintain such special funds as may be created by
6 the governing body of a public health district, into which the district
7 treasurer must place all money as the governing body of the district
8 may, by resolution, direct.

9 (3) The district treasurer must pay out money received for the
10 account of the public health district on warrants issued by the county
11 auditor or auditors against the proper funds of the district.

12 (4) All district funds must be deposited with the county or
13 counties depositaries under the same restrictions, contracts, and
14 security as provided for county depositaries.

15 (5) All interest collected on public health district funds belongs
16 to the district and must be deposited to its credit in the proper
17 district funds.

18 NEW SECTION. **Sec. 8.** A public health district formed under this
19 chapter may be dissolved in the manner provided in chapter 53.48 RCW,
20 relating to port districts.

21 **Sec. 9.** RCW 84.52.052 and 2004 c 129 s 22 are each amended to read
22 as follows:

23 The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW
24 84.52.043 shall not prevent the levy of additional taxes by any taxing
25 district, except school districts and fire protection districts, in
26 which a larger levy is necessary in order to prevent the impairment of
27 the obligation of contracts. As used in this section, the term "taxing
28 district" means any county, metropolitan park district, park and
29 recreation service area, park and recreation district, water-sewer
30 district, solid waste disposal district, public facilities district,
31 flood control zone district, county rail district, service district,
32 public hospital district, road district, rural county library district,
33 island library district, rural partial-county library district,
34 intercounty rural library district, cemetery district, city, town,
35 transportation benefit district, emergency medical service district
36 with a population density of less than one thousand per square mile,

1 cultural arts, stadium, and convention district, ferry district, city
2 transportation authority, public health district, or regional fire
3 protection service authority.

4 Any such taxing district may levy taxes at a rate in excess of the
5 rate specified in RCW 84.52.050 through 84.52.056 and 84.52.043, or
6 84.55.010 through 84.55.050, when authorized so to do by the voters of
7 such taxing district in the manner set forth in Article VII, section
8 2(a) of the Constitution of this state at a special or general election
9 to be held in the year in which the levy is made.

10 A special election may be called and the time therefor fixed by the
11 county legislative authority, or council, board of commissioners, or
12 other governing body of any such taxing district, by giving notice
13 thereof by publication in the manner provided by law for giving notices
14 of general elections, at which special election the proposition
15 authorizing such excess levy shall be submitted in such form as to
16 enable the voters favoring the proposition to vote "yes" and those
17 opposed thereto to vote "no."

18 NEW SECTION. **Sec. 10.** Sections 1 through 8 of this act constitute
19 a new chapter in Title 36 RCW.

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