
SUBSTITUTE SENATE BILL 5381

State of Washington 62nd Legislature 2012 Regular Session

By Senate Government Operations, Tribal Relations & Elections
(originally sponsored by Senators Prentice and Regala)

READ FIRST TIME 01/25/12.

1 AN ACT Relating to adjusting voting requirements for the renewal of
2 emergency medical service levies; and amending RCW 84.52.069.

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

4 **Sec. 1.** RCW 84.52.069 and 2011 c 365 s 2 are each amended to read
5 as follows:

6 (1) As used in this section, "taxing district" means a county,
7 emergency medical service district, city or town, public hospital
8 district, urban emergency medical service district, regional fire
9 protection service authority, or fire protection district.

10 (2) Except as provided in subsection (10) of this section, a taxing
11 district may impose additional regular property tax levies in an amount
12 equal to fifty cents or less per thousand dollars of the assessed value
13 of property in the taxing district. The tax (~~(shall be)~~) is imposed
14 (a) each year for six consecutive years, (b) each year for ten
15 consecutive years, or (c) permanently. A permanent tax levy under this
16 section, or the initial imposition of a six-year or ten-year levy under
17 this section, must be specifically authorized by a majority of at least
18 three-fifths of the registered voters thereof approving a proposition
19 authorizing the levies submitted at a general or special election, at

1 which election the number of persons voting "yes" on the proposition
2 shall constitute three-fifths of a number equal to forty percent of the
3 total number of voters voting in such taxing district at the last
4 preceding general election when the number of registered voters voting
5 on the proposition does not exceed forty percent of the total number of
6 voters voting in such taxing district in the last preceding general
7 election; or by a majority of at least three-fifths of the registered
8 voters thereof voting on the proposition when the number of registered
9 voters voting on the proposition exceeds forty percent of the total
10 number of voters voting in such taxing district in the last preceding
11 general election. The uninterrupted continuation of a six-year or ten-
12 year tax levy under this section must be specifically authorized by a
13 majority of the registered voters thereof approving a proposition
14 authorizing the levies submitted at a general or special election.
15 Ballot propositions must conform with RCW 29A.36.210. A taxing
16 district may not submit to the voters at the same election multiple
17 propositions to impose a levy under this section.

18 (3) A taxing district imposing a permanent levy under this section
19 shall provide for separate accounting of expenditures of the revenues
20 generated by the levy. The taxing district must maintain a statement
21 of the accounting which must be updated at least every two years and
22 must be available to the public upon request at no charge.

23 (4)(a) A taxing district imposing a permanent levy under this
24 section must provide for a referendum procedure to apply to the
25 ordinance or resolution imposing the tax. This referendum procedure
26 must specify that a referendum petition may be filed at any time with
27 a filing officer, as identified in the ordinance or resolution. Within
28 ten days, the filing officer must confer with the petitioner concerning
29 form and style of the petition, issue the petition an identification
30 number, and secure an accurate, concise, and positive ballot title from
31 the designated local official. The petitioner has thirty days in which
32 to secure the signatures of not less than fifteen percent of the
33 registered voters of the taxing district, as of the last general
34 election, upon petition forms which contain the ballot title and the
35 full text of the measure to be referred. The filing officer must
36 verify the sufficiency of the signatures on the petition and, if
37 sufficient valid signatures are properly submitted, must certify the
38 referendum measure to the next election within the taxing district if

1 one is to be held within one hundred eighty days from the date of
2 filing of the referendum petition, or at a special election to be
3 called for that purpose in accordance with RCW 29A.04.330.

4 (b) The referendum procedure provided in this subsection (4) is
5 exclusive in all instances for any taxing district imposing the tax
6 under this section and supersedes the procedures provided under all
7 other statutory or charter provisions for initiative or referendum
8 which might otherwise apply.

9 (5) Any tax imposed under this section may be used only for the
10 provision of emergency medical care or emergency medical services,
11 including related personnel costs, training for such personnel, and
12 related equipment, supplies, vehicles and structures needed for the
13 provision of emergency medical care or emergency medical services.

14 (6) If a county levies a tax under this section, no taxing district
15 within the county may levy a tax under this section. If a regional
16 fire protection service authority imposes a tax under this section, no
17 other taxing district that is a participating fire protection
18 jurisdiction in the regional fire protection service authority may levy
19 a tax under this section. No other taxing district may levy a tax
20 under this section if another taxing district has levied a tax under
21 this section within its boundaries: PROVIDED, That if a county levies
22 less than fifty cents per thousand dollars of the assessed value of
23 property, then any other taxing district may levy a tax under this
24 section equal to the difference between the rate of the levy by the
25 county and fifty cents: PROVIDED FURTHER, That if a taxing district
26 within a county levies this tax, and the voters of the county
27 subsequently approve a levying of this tax, then the amount of the
28 taxing district levy within the county must be reduced, when the
29 combined levies exceed fifty cents. Whenever a tax is levied
30 countywide, the service must, insofar as is feasible, be provided
31 throughout the county: PROVIDED FURTHER, That no countywide levy
32 proposal may be placed on the ballot without the approval of the
33 legislative authority of each city exceeding fifty thousand population
34 within the county: AND PROVIDED FURTHER, That this section and RCW
35 36.32.480 shall not prohibit any city or town from levying an annual
36 excess levy to fund emergency medical services: AND PROVIDED, FURTHER,
37 That if a county proposes to impose tax levies under this section, no
38 other ballot proposition authorizing tax levies under this section by

1 another taxing district in the county may be placed before the voters
2 at the same election at which the county ballot proposition is placed:
3 AND PROVIDED FURTHER, That any taxing district emergency medical
4 service levy that is limited in duration and that is authorized
5 subsequent to a county emergency medical service levy that is limited
6 in duration, expires concurrently with the county emergency medical
7 service levy. A fire protection district that has annexed an area
8 described in subsection (10) of this section may levy the maximum
9 amount of tax that would otherwise be allowed, notwithstanding any
10 limitations in this subsection (6).

11 (7) The limitations in RCW 84.52.043 do not apply to the tax levy
12 authorized in this section.

13 (8) If a ballot proposition approved under subsection (2) of this
14 section did not impose the maximum allowable levy amount authorized for
15 the taxing district under this section, any future increase up to the
16 maximum allowable levy amount must be specifically authorized by the
17 voters in accordance with subsection (2) of this section at a general
18 or special election.

19 (9) The limitation in RCW 84.55.010 does not apply to the first
20 levy imposed pursuant to this section following the approval of such
21 levy by the voters pursuant to subsection (2) of this section.

22 (10) For purposes of imposing the tax authorized under this
23 section, the boundary of a county with a population greater than one
24 million five hundred thousand does not include all of the area of the
25 county that is located within a city that has a boundary in two
26 counties, if the locally assessed value of all the property in the area
27 of the city within the county having a population greater than one
28 million five hundred thousand is less than two hundred fifty million
29 dollars.

30 (11) For purposes of this section, the following definitions apply:

31 (a) "Fire protection jurisdiction" means a fire protection
32 district, city, town, Indian tribe, or port district; and

33 (b) "Participating fire protection jurisdiction" means a fire
34 protection district, city, town, Indian tribe, or port district that is
35 represented on the governing board of a regional fire protection
36 service authority.

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