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SENATE BILL 5381

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State of Washington

62nd Legislature

2011 Regular Session

By Senators Prentice and Regala

Read first time 01/24/11. Referred to Committee on Government Operations, Tribal Relations & Elections.

1 AN ACT Relating to adjusting voting requirements for emergency  
2 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 2004 c 129 s 23 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) A taxing district may impose additional regular property tax  
11 levies in an amount equal to fifty cents or less per thousand dollars  
12 of the assessed value of property in the taxing district. The tax  
13 (~~shall be~~) is imposed (a) each year for six consecutive years, (b)  
14 each year for ten consecutive years, or (c) permanently. A tax levy  
15 under this section must be specifically authorized by a majority of  
16 (~~at least three fifths of the~~) registered voters thereof approving a  
17 proposition authorizing the levies submitted at a general or special  
18 election(~~, at which election the number of persons voting "yes" on the~~  
19 ~~proposition shall constitute three fifths of a number equal to forty~~

1 ~~percent of the total number of voters voting in such taxing district at~~  
2 ~~the last preceding general election when the number of registered~~  
3 ~~voters voting on the proposition does not exceed forty percent of the~~  
4 ~~total number of voters voting in such taxing district in the last~~  
5 ~~preceding general election; or by a majority of at least three fifths~~  
6 ~~of the registered voters thereof voting on the proposition when the~~  
7 ~~number of registered voters voting on the proposition exceeds forty~~  
8 ~~percent of the total number of voters voting in such taxing district in~~  
9 ~~the last preceding general election)).~~ Ballot propositions ((~~shall~~))  
10 must conform with RCW 29A.36.210. A taxing district ((~~shall~~)) may not  
11 submit to the voters at the same election multiple propositions to  
12 impose a levy under this section.

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

19 (4) A taxing district imposing a permanent levy under this section  
20 shall provide for a referendum procedure to apply to the ordinance or  
21 resolution imposing the tax. This referendum procedure ((~~shall~~)) must  
22 specify that a referendum petition may be filed at any time with a  
23 filing officer, as identified in the ordinance or resolution. Within  
24 ten days, the filing officer ((~~shall~~)) must confer with the petitioner  
25 concerning form and style of the petition, issue the petition an  
26 identification number, and secure an accurate, concise, and positive  
27 ballot title from the designated local official. The petitioner  
28 ((~~shall have~~)) has thirty days in which to secure the signatures of not  
29 less than fifteen percent of the registered voters of the taxing  
30 district, as of the last general election, upon petition forms which  
31 contain the ballot title and the full text of the measure to be  
32 referred. The filing officer ((~~shall~~)) must verify the sufficiency of  
33 the signatures on the petition and, if sufficient valid signatures are  
34 properly submitted, shall certify the referendum measure to the next  
35 election within the taxing district if one is to be held within one  
36 hundred eighty days from the date of filing of the referendum petition,  
37 or at a special election to be called for that purpose in accordance  
38 with RCW 29A.04.330.

1 The referendum procedure provided in this subsection (~~shall be~~)  
2 is exclusive in all instances for any taxing district imposing the tax  
3 under this section and (~~shall~~) supersedes the procedures provided  
4 under all other statutory or charter provisions for initiative or  
5 referendum which might otherwise apply.

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

12 (6)(a) If a county levies a tax under this section, no taxing  
13 district within the county may levy a tax under this section. If a  
14 regional fire protection service authority imposes a tax under this  
15 section, no other taxing district that is a participating fire  
16 protection jurisdiction in the regional fire protection service  
17 authority may levy a tax under this section. No other taxing district  
18 may levy a tax under this section if another taxing district has levied  
19 a tax under this section within its boundaries(~~PROVIDED, That~~).

20 However:

21 (i) If a county levies less than fifty cents per thousand dollars  
22 of the assessed value of property, then any other taxing district may  
23 levy a tax under this section equal to the difference between the rate  
24 of the levy by the county and fifty cents(~~PROVIDED FURTHER, That~~);  
25 and

26 (ii) If a taxing district within a county levies this tax, and the  
27 voters of the county subsequently approve a levying of this tax, then  
28 the amount of the taxing district levy within the county (~~shall~~) must  
29 be reduced, when the combined levies exceed fifty cents.

30 (b) Whenever a tax is levied countywide, the service (~~shall~~)  
31 must, insofar as is feasible, be provided throughout the county(~~PROVIDED FURTHER, That~~). However, no countywide levy proposal may be  
32 placed on the ballot without the approval of the legislative authority  
33 of each city exceeding fifty thousand population within the county(~~AND PROVIDED FURTHER, That~~).

34 (c) This section and RCW 36.32.480 (~~shall~~) do not prohibit any  
35 city or town from levying an annual excess levy to fund emergency  
36 medical services(~~AND PROVIDED, FURTHER, That~~).

1        (d) If a county proposes to impose tax levies under this section,  
2 no other ballot proposition authorizing tax levies under this section  
3 by another taxing district in the county may be placed before the  
4 voters at the same election at which the county ballot proposition is  
5 placed(~~(:—AND PROVIDED FURTHER, That)~~).

6        (e) Any taxing district emergency medical service levy that is  
7 limited in duration and that is authorized subsequent to a county  
8 emergency medical service levy that is limited in duration(~~(, shall)~~)  
9 expires concurrently with the county emergency medical service levy.

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

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

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

21        (10) For purposes of this section, the following definitions apply:

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

24        (b) "Participating fire protection jurisdiction" means a fire  
25 protection district, city, town, Indian tribe, or port district that is  
26 represented on the governing board of a regional fire protection  
27 service authority.

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