
SENATE BILL 6186

State of Washington

62nd Legislature

2012 Regular Session

By Senator Swecker

Read first time 01/13/12. Referred to Committee on Government Operations, Tribal Relations & Elections.

1 AN ACT Relating to limitations on the taxing authority of counties
2 for emergency medical services; 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,~~) The definitions in this subsection
7 apply throughout this section unless the context clearly requires
8 otherwise.

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

11 (b) "Participating fire protection jurisdiction" means a fire
12 protection district, city, town, Indian tribe, or port district that is
13 represented on the governing board of a regional fire protection
14 service authority.

15 (c) "Taxing district" means a county, emergency medical service
16 district, city or town, public hospital district, urban emergency
17 medical service district, regional fire protection service authority,
18 or fire protection district.

1 (2) Except as provided in subsection (~~(+10+)~~) (15) of this section,
2 a taxing district may impose additional regular property tax levies in
3 an amount equal to fifty cents or less per thousand dollars of the
4 assessed value of property in the taxing district. The tax shall be
5 imposed (a) each year for six consecutive years, (b) each year for ten
6 consecutive years, or (c) permanently. A tax levy under this section
7 must be specifically authorized by a majority of at least three-fifths
8 of the registered voters thereof approving a proposition authorizing
9 the levies submitted at a general or special election, at which
10 election the number of persons voting "yes" on the proposition shall
11 constitute three-fifths of a number equal to forty percent of the total
12 number of voters voting in such taxing district at the last preceding
13 general election when the number of registered voters voting on the
14 proposition does not exceed forty percent of the total number of voters
15 voting in such taxing district in the last preceding general election;
16 or by a majority of at least three-fifths of the registered voters
17 thereof voting on the proposition when the number of registered voters
18 voting on the proposition exceeds forty percent of the total number of
19 voters voting in such taxing district in the last preceding general
20 election. Ballot propositions must conform with RCW 29A.36.210. A
21 taxing district may not submit to the voters at the same election
22 multiple propositions to impose a levy under this section.

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

28 (4)(a) A taxing district imposing a permanent levy under this
29 section must provide for a referendum procedure to apply to the
30 ordinance or resolution imposing the tax. This referendum procedure
31 must specify that a referendum petition may be filed at any time with
32 a filing officer, as identified in the ordinance or resolution. Within
33 ten days, the filing officer must confer with the petitioner concerning
34 form and style of the petition, issue the petition an identification
35 number, and secure an accurate, concise, and positive ballot title from
36 the designated local official. The petitioner has thirty days in which
37 to secure the signatures of not less than fifteen percent of the
38 registered voters of the taxing district, as of the last general

1 election, upon petition forms which contain the ballot title and the
2 full text of the measure to be referred. The filing officer must
3 verify the sufficiency of the signatures on the petition and, if
4 sufficient valid signatures are properly submitted, must certify the
5 referendum measure to the next election within the taxing district if
6 one is to be held within one hundred eighty days from the date of
7 filing of the referendum petition, or at a special election to be
8 called for that purpose in accordance with RCW 29A.04.330.

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

14 (5) Any tax imposed under this section may be used only for the
15 provision of emergency medical care or emergency medical services,
16 including related personnel costs, training for such personnel, and
17 related equipment, supplies, vehicles and structures needed for the
18 provision of emergency medical care or emergency medical services.

19 (6) If a county levies a tax under this section, no taxing district
20 within the county may levy a tax under this section, except as provided
21 otherwise in this section.

22 (7) If a regional fire protection service authority imposes a tax
23 under this section, no other taxing district that is a participating
24 fire protection jurisdiction in the regional fire protection service
25 authority may levy a tax under this section.

26 (8) Except as provided otherwise in this subsection (8), no other
27 taxing district may levy a tax under this section if another taxing
28 district has levied a tax under this section within its boundaries~~((
29 PROVIDED, That))~~.

30 (a)(i) If a county levies less than fifty cents per thousand
31 dollars of the assessed value of property, then any other taxing
32 district may levy a tax under this section equal to the difference
33 between the rate of the levy by the county and fifty cents~~((
34 FURTHER, That))~~, subject to the limitations of this subsection (8)(a).

35 (ii) If a taxing district, other than the county, within ((a)) that
36 county levies ((this tax)) a tax under (a) of this subsection (8), and
37 the voters of the county subsequently approve a levying of this tax,
38 then the amount of the ((taxing district levy within the county))

1 county's levy under (a) of this subsection (8) must be reduced until
2 the expiration of the taxing district's levy, when the combined levies
3 of the county and other taxing district exceed fifty cents.

4 (b) Whenever a tax is levied countywide under this subsection (8),
5 the service must, insofar as is feasible, be provided throughout the
6 county(~~(:—PROVIDED FURTHER, That)~~).

7 (i) No countywide levy proposal may be placed on the ballot without
8 the approval of the legislative authority of each city, fire protection
9 district, or regional fire protection service authority exceeding fifty
10 thousand population within the county(~~(:—AND PROVIDED FURTHER, That)~~).

11 (ii) No countywide levy proposal may be placed on the ballot
12 without approval of the legislative authorities of a majority of the
13 taxing districts within the county.

14 (iii) No countywide levy may be levied without the prior approval
15 of the legislative authorities of a majority of the taxing districts
16 within the county of an equitable service delivery plan.

17 (9) This section and RCW 36.32.480 (~~(shall)~~) do not prohibit any
18 city or town from levying an annual excess levy to fund emergency
19 medical services(~~(:—AND PROVIDED, FURTHER, That)~~).

20 (10)(a) If a county proposes to impose tax levies under this
21 section, no other ballot proposition authorizing tax levies under this
22 section by another taxing district in the county may be placed before
23 the voters at the same election at which the county ballot proposition
24 is placed(~~(:—AND PROVIDED FURTHER, That)~~).

25 (b) Any taxing district emergency medical service levy that is
26 limited in duration and that is authorized subsequent to a county
27 emergency medical service levy that is limited in duration, expires
28 concurrently with the county emergency medical service levy.

29 (11) A fire protection district that has annexed an area described
30 in subsection (~~(+10)~~) (15) of this section may levy the maximum amount
31 of tax that would otherwise be allowed, notwithstanding any limitations
32 in this subsection (~~(+6)~~) (11).

33 (~~(+7)~~) (12) The limitations in RCW 84.52.043 do not apply to the
34 tax levy authorized in this section.

35 (~~(+8)~~) (13) If a ballot proposition approved under subsection (2)
36 of this section did not impose the maximum allowable levy amount
37 authorized for the taxing district under this section, any future

1 increase up to the maximum allowable levy amount must be specifically
2 authorized by the voters in accordance with subsection (2) of this
3 section at a general or special election.

4 ~~((+9))~~ (14) The limitation in RCW 84.55.010 does not apply to the
5 first levy imposed pursuant to this section following the approval of
6 such levy by the voters pursuant to subsection (2) of this section.

7 ~~((+10))~~ (15) For purposes of imposing the tax authorized under
8 this section, the boundary of a county with a population greater than
9 one million five hundred thousand does not include all of the area of
10 the county that is located within a city that has a boundary in two
11 counties, if the locally assessed value of all the property in the area
12 of the city within the county having a population greater than one
13 million five hundred thousand is less than two hundred fifty million
14 dollars.

15 ~~((+11)) For purposes of this section, the following definitions~~
16 ~~apply:~~

17 ~~(a) "Fire protection jurisdiction" means a fire protection~~
18 ~~district, city, town, Indian tribe, or port district; and~~

19 ~~(b) "Participating fire protection jurisdiction" means a fire~~
20 ~~protection district, city, town, Indian tribe, or port district that is~~
21 ~~represented on the governing board of a regional fire protection~~
22 ~~service authority.)~~

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