

SENATE BILL REPORT

SB 5331

As of February 13, 2013

Title: An act relating to voter-approved benefit charges for regional fire protection service authorities.

Brief Description: Concerning voter-approved benefit charges for regional fire protection service authorities.

Sponsors: Senators Hobbs, Roach, Conway, Fain and Delvin.

Brief History:

Committee Activity: Governmental Operations: 2/11/13.

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Staff: Karen Epps (786-7424)

Background: A Regional Fire Protection Service Authority (Authority) may be created for the purpose of conducting specified fire protection functions at a regional level. An Authority may be created by the merger of two or more adjacent fire protection jurisdictions including fire protection districts, cities, port districts, and Indian tribes. An Authority may also be created by a vote of the people that approves an Authority plan (plan), and the creation of the Authority, as a single ballot measure.

The required margin for voter approval depends on the revenue sources proposed by the plan. If the plan does not authorize benefit charges or 60 percent voter-approved taxes, the ballot measure must be approved by a simple majority. If however, the plan authorizes the authority to impose benefit charges or 60 percent voter-approved taxes, the ballot measure must be approved by 60 percent of the voters.

A benefit charge is a type of assessment imposed upon a property owner based upon the measurable benefits to be received by the property owner by fire protection districts and fire protection authorities. A district or authority may use this funding approach as a means for apportioning the real costs of service to an individual property in a manner that reflects the actual benefits provided to that property. The imposition of a benefit charge is subject to voter approval by a 60 percent majority of the voters living within the jurisdiction of the district or authority. Subject to such voter approval, a district or authority has the option of

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imposing benefit charges in lieu of a portion of the property tax it is otherwise authorized to impose.

An Authority is governed by a board charged with executing the plan. Board membership is determined by the service plan and is limited to elected officials. The board is empowered to levy and impose taxes as authorized; enforce fire codes; enter into leases, contracts, and pay for services; hire and fire personnel; and exercise other powers and duties as are reasonably necessary to carry out its purposes.

Summary of Bill: The continued imposition of a benefit charge is subject to voter approval by a simple majority of the voters living within the jurisdiction of the authority. The level of levy authority for a regional fire protection authority that is not able to be levied when the benefit charge is being imposed is protected.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill contains two technical fixes and one substantive change. One of the technical fixes authorizes a planning committee to hold a public hearing if a benefit charge is proposed as part of the initial formation of an Authority. The other technical fix addresses the level of levy authority for an Authority. A fire benefit charge is a charge that is reasonably proportionate to the benefit that a property might receive from fire protection services provided to that property. It allows the Authority to provide options for landowners, such that a landowner that has fire sprinklers would likely pay less than a landowner that does not have sprinklers. This bill allows the reauthorization of a fire benefit charge to be approved by 50 percent of the voters.

Persons Testifying: PRO: Geoff Simpson, WA State Council of Fire Fighters; Edward Widdis, Snohomish County Fire District 1.