
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1960

State of Washington

63rd Legislature

2014 Regular Session

By House Finance (originally sponsored by Representative Seaquist)

READ FIRST TIME 01/20/14.

1 AN ACT Relating to establishing benefit assessment charges for
2 metropolitan park districts; and adding a new chapter to Title 84 RCW.

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

4 NEW SECTION. **Sec. 1.** (1) The governing board of a metropolitan
5 park district may by resolution, as authorized and approved by the
6 voters, for district purposes authorized by law, fix and impose a
7 benefit charge on real property that is located within the district on
8 the date specified and which have received or will receive the benefits
9 provided by the district, to be paid by the owners of the properties.
10 The aggregate amount of these benefit charges in any one year may not
11 exceed an amount equal to the maximum amount that could be collected
12 under RCW 35.61.210, not subject to the limitations in RCW 84.52.043 or
13 84.52.050, in any one year. It is the duty of the county legislative
14 authority or authorities of the county or counties in which the
15 metropolitan park district is located to make any necessary adjustments
16 on at least an annual basis to assure compliance with this limitation
17 and to immediately notify the governing board of a district of any
18 changes thereof.

1 (2) A benefit charge imposed must be reasonably proportioned to the
2 measurable benefits to property resulting from the proximity of parks,
3 parkways, boulevards, and recreational facilities maintained by the
4 district. Any method that reasonably apportions the benefit charges to
5 the actual benefits resulting from the degree of benefit, which may
6 include but is not limited to the distance from regularly maintained
7 parks, parkways, boulevards, and recreational facilities, may be
8 specified in the resolution and is subject to contest on the grounds of
9 unreasonable or capricious action or action in excess of the measurable
10 benefits to the property resulting from the district. The governing
11 board of a district may determine that certain properties or types or
12 classes of properties are not receiving measurable benefits based on
13 criteria they establish by resolution.

14 (3) For administrative purposes, the benefit charge imposed on any
15 individual property may be compiled into a single charge, provided that
16 the district, upon request of the property owner, provide an itemized
17 list of charges for each measurable benefit included in the charge.

18 NEW SECTION. **Sec. 2.** All property not assessed and subjected to
19 ad valorem taxation under this title is exempt from the benefit charge
20 imposed under this chapter.

21 NEW SECTION. **Sec. 3.** (1) The resolution establishing benefit
22 charges as specified in section 1 of this act must specify, by legal
23 geographical areas or other specific designations, the charge to apply
24 to each property by location, type, or other designation, or other
25 information that is necessary to the proper computation of the benefit
26 charge to be charged to each property owner subject to the resolution.

27 (2) The county assessor of each county in which the metropolitan
28 park district is located must determine and identify the property that
29 is subject to a benefit charge in each district and must furnish and
30 deliver to the county treasurer of that county a listing of the
31 properties with information describing the location, legal description,
32 and address of the person to whom the statement of benefit charges is
33 to be mailed, the name of the owner, and the value of the property,
34 together with the benefit charge to apply to each.

1 (3) Districts renewing the benefit charge may elect to use the
2 following alternative ballot:

3 "Shall the metropolitan park district be authorized to continue
4 voter-authorized benefit charges each year for. . . . (insert number of years no
5 to exceed an amount equal to the maximum amount
6 that could be collected under RCW 35.61.210?

7 Yes
8 No

9 NEW SECTION. **Sec. 6.** (1) Not fewer than ten days nor more than
10 six months before the election at which the proposition to impose the
11 benefit charge is submitted as provided in this chapter, the governing
12 board of the metropolitan park district must hold a public hearing
13 specifically setting forth its proposal to impose benefit charges for
14 the support of its legally authorized activities that will maintain or
15 improve the access to parks, parkways, boulevards, and recreational
16 facilities. A report of the public hearing must be filed with the
17 county treasurer of each county in which the property is located and be
18 available for public inspection.

19 (2) Prior to November 15th of each year the governing board of the
20 district must hold a public hearing to review and establish the
21 metropolitan park district benefit charges for the subsequent year.

22 (3) All resolutions imposing or changing the benefit charges must
23 be filed with the county treasurer or treasurers of each county in
24 which the property is located, together with the record of each public
25 hearing, before November 30th immediately preceding the year in which
26 the benefit charges are to be collected on behalf of the district.

27 (4) After the benefit charges have been established, the owners of
28 the property subject to the charge must be notified of the amount of
29 the charge.

30 NEW SECTION. **Sec. 7.** After notice has been given to the property
31 owners of the amount of the benefit charge, the governing board of a
32 metropolitan park district imposing a benefit charge under this chapter
33 must form a review board for at least a two-week period and must, upon
34 complaint in writing of an aggrieved party owning property in the

1 district, reduce the charge of a person who, in their opinion, has been
2 charged too large a sum, to a sum or amount as they believe to be the
3 true, fair, and just amount.

4 NEW SECTION. **Sec. 8.** A person who is receiving the exemption
5 contained in RCW 84.36.381 through 84.36.389 is exempt from any legal
6 obligation to pay a portion of the benefit charge imposed under this
7 chapter as follows:

8 (1) A person who meets the income limitation contained in RCW
9 84.36.381(5)(a) and does not meet the income limitation contained in
10 RCW 84.36.381(5)(b) (i) or (ii) is exempt from twenty-five percent of
11 the charge;

12 (2) A person who meets the income limitation contained in RCW
13 84.36.381(5)(b)(i) is exempt from fifty percent of the charge; and

14 (3) A person who meets the income limitation contained in RCW
15 84.36.381(5)(b)(ii) is exempt from seventy-five percent of the charge.

16 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act constitute
17 a new chapter in Title 84 RCW.

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