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HOUSE BILL 1967

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State of Washington                      63rd Legislature                      2013 Regular Session

By Representatives Springer, Sullivan, Haler, Crouse, and Maxwell

Read first time 02/26/13. Referred to Committee on Finance.

1            AN ACT Relating to community redevelopment financing in  
2 apportionment districts; amending RCW 39.88.030, 39.88.040, 39.88.070,  
3 39.88.080, 39.88.100, 84.52.043, 84.52.043, and 84.52.050; reenacting  
4 and amending RCW 39.88.020; adding a new section to chapter 39.88 RCW;  
5 repealing RCW 39.88.060 and 39.88.090; providing an effective date; and  
6 providing an expiration date.

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

8            **Sec. 1.** RCW 39.88.020 and 2011 c 336 s 815 are each reenacted and  
9 amended to read as follows:

10            (~~As used in this chapter the following terms have the following~~  
11 ~~meanings unless a different meaning is clearly indicated by the~~  
12 ~~context:)~~) The definitions in this section apply throughout this  
13 chapter unless the context clearly requires otherwise.

14            (1) "Apportionment district" means the geographic area, within an  
15 urban area, from which (~~regular property taxes are to be apportioned~~  
16 ~~to finance a public improvement contained therein.~~

17            ~~(2) "Assessed value of real property" means the valuation of real~~  
18 ~~property as placed on the last completed assessment roll of the county.~~

19            ~~(3) "City" means any city or town.~~

1       ~~(4) "Ordinance" means any appropriate method of taking a~~  
2 ~~legislative action by a county or city, whether known as a statute,~~  
3 ~~resolution, ordinance, or otherwise.~~

4       ~~(5) "Public improvement" means an undertaking to provide public~~  
5 ~~facilities in an urban area which the sponsor has authority to provide.~~

6       ~~(6) "Public improvement costs" means the costs of design, planning,~~  
7 ~~acquisition, site preparation, construction, reconstruction,~~  
8 ~~rehabilitation, improvement, and installation of the public~~  
9 ~~improvement; costs of relocation, maintenance, and operation of~~  
10 ~~property pending construction of the public improvement; costs of~~  
11 ~~utilities relocated as a result of the public improvement; costs of~~  
12 ~~financing, including interest during construction, legal and other~~  
13 ~~professional services, taxes, and insurance; costs incurred by the~~  
14 ~~assessor to revalue real property for the purpose of determining the~~  
15 ~~tax allocation base value that are in excess of costs incurred by the~~  
16 ~~assessor in accordance with his or her revaluation plan under chapter~~  
17 ~~84.41 RCW, and the costs of apportioning the taxes and complying with~~  
18 ~~this chapter and other applicable law; and administrative costs~~  
19 ~~reasonably necessary and related to these costs. These costs may~~  
20 ~~include costs incurred prior to the adoption of the public improvement~~  
21 ~~ordinance, but subsequent to July 10, 1982.~~

22       ~~(7) "Public improvement ordinance" means the ordinance passed under~~  
23 ~~RCW 39.88.040(4).~~

24       ~~(8) "Regular property taxes" means regular property taxes as now or~~  
25 ~~hereafter defined in RCW 84.04.140, except regular property taxes~~  
26 ~~levied by port districts or public utility districts specifically for~~  
27 ~~the purpose of making required payments of principal and interest on~~  
28 ~~general indebtedness.~~

29       ~~(9) "Sponsor" means any county or city initiating and undertaking~~  
30 ~~a public improvement.~~

31       ~~(10) "Tax allocation base value of real property" means the true~~  
32 ~~and fair value of real property within an apportionment district for~~  
33 ~~the year in which the apportionment district was established.~~

34       ~~(11) "Tax allocation bonds" means any bonds, notes, or other~~  
35 ~~obligations issued by a sponsor pursuant to section 10 of this act.~~

36       ~~(12) "Tax allocation revenues" means those tax revenues allocated~~  
37 ~~to a sponsor under RCW 39.88.070(1)(b).~~

1       ~~(13) "Taxing districts" means any governmental entity which levies~~  
2 ~~or has levied for it regular property taxes upon real property located~~  
3 ~~within a proposed or approved apportionment district.~~

4       ~~(14) "Urban area" means an area in a city or located outside of a~~  
5 ~~city that is characterized by intensive use of the land for the~~  
6 ~~location of structures and receiving such urban services as sewers,~~  
7 ~~water, and other public utilities and services normally associated with~~  
8 ~~urbanized areas. Not more than twenty five percent of the area within~~  
9 ~~the urban area proposed apportionment district may be vacant land.~~

10       ~~(15) "Value of taxable property" means value of taxable property as~~  
11 ~~defined in RCW 39.36.015)) special property taxes are to be levied and~~  
12 ~~collected to finance a public improvement contained therein.~~

13       (2) "City" means any city or town.

14       (3) "Community benefit activities" means activities undertaken to  
15 meet the affordable housing, conservation, social equity, and other  
16 public goals as described in section 2 of this act.

17       (4) "County" means any county of the state of Washington.

18       (5) "Ordinance" means an ordinance, resolution, or any other  
19 appropriate method of taking a legislative action by the legislative  
20 authority of a county or city, whether known as a statute, resolution,  
21 ordinance, or otherwise.

22       (6) "Public improvement costs" means capital expenditures with  
23 respect to public improvements, including without limitation the costs  
24 of design, planning, acquisition, site preparation, construction,  
25 reconstruction, rehabilitation, improvement, and installation of the  
26 public improvement; costs of relocation, maintenance, and operation of  
27 property pending construction of the public improvement; costs of  
28 relocating utilities in connection with undertaking the public  
29 improvement; costs of financing, including interest during and for a  
30 reasonable period after construction, legal and other professional  
31 services, taxes, and insurance; costs of levying and collecting the  
32 special property taxes and complying with this chapter and other  
33 applicable law; costs of operating and maintaining the public  
34 improvement; and administrative costs reasonably necessary and related  
35 to these costs. These costs may include costs incurred prior to the  
36 adoption of the public improvement ordinance but may not include costs  
37 that are satisfied by revenues from impact fees or other development  
38 fees.

1 (7) "Public improvement ordinance" means an ordinance passed under  
2 RCW 39.88.040(4).

3 (8) "Public improvements" means:

4 (a) Public infrastructure improvements, including acquisition,  
5 construction, improvement, expansion, extension, or maintenance of the  
6 following:

7 (i) Street, road, bridge, and rail improvements;

8 (ii) Water and sewer systems;

9 (iii) Sidewalks, streetlights, landscaping, and streetscaping;

10 (iv) Parking, terminal, and dock facilities;

11 (v) Park and ride facilities;

12 (vi) Park facilities, recreational areas, and environmental  
13 remediation activities;

14 (vii) Storm water and drainage management systems; and

15 (viii) Electric, gas, fiber, and other utility infrastructure; and

16 (b) Expenditures for any of the following purposes:

17 (i) Providing maintenance and security for public improvements or  
18 for common or public areas in the apportionment district;

19 (ii) Historic preservation assets and activities authorized under  
20 RCW 35.21.395; or

21 (iii) Costs of establishing and administering the apportionment  
22 district, including without limitation the costs of data collection,  
23 reporting, and accountability activities.

24 (9) "Regular property taxes" means regular property taxes as now or  
25 hereafter defined in RCW 84.04.140.

26 (10) "Special property taxes" means the special property taxes  
27 authorized to be levied and collected within an apportionment district  
28 under RCW 39.88.070. Special property taxes are not regular property  
29 taxes for any purpose under this chapter or under any other provision  
30 of law, but special property taxes are "excess real property taxes" for  
31 purposes of RCW 84.36.381 through 84.36.389, are "real property taxes"  
32 for purposes of chapters 84.37 and 84.38 RCW, are "property taxes" for  
33 purposes of chapter 84.39 RCW, and also constitute "ad valorem  
34 taxation" as that term is used in RCW 84.33.040.

35 (11) "Sponsor" means any county or city forming an apportionment  
36 district under this chapter.

37 (12) "Tax allocation base value" means the value of taxable

1 property within an apportionment district for the year in which the  
2 public improvement ordinance is passed.

3 (13) "Tax allocation bonds" means any bonds, notes, or other  
4 obligations issued or incurred by a sponsor pursuant to RCW 39.88.100.

5 (14) "Tax allocation increment value" means, as of any time of  
6 calculation, the value of taxable property in an apportionment district  
7 in excess of the tax allocation base value within that apportionment  
8 district.

9 (15) "Tax allocation revenues" means those special property tax  
10 revenues levied and collected by a sponsor under RCW 39.88.070(1).

11 (16) "Taxing districts" means any governmental entity which levies  
12 or has levied for it regular property taxes upon real property located  
13 within a proposed or approved apportionment district.

14 (17) "Urban area" means an area (a) in a city or (b) located  
15 outside of a city within an urban eligible area.

16 (18) "Urban eligible area" means an area inside an urban growth  
17 area as defined in RCW 36.70A.030 that is a growth center, a  
18 transportation center, or a local center. For purposes of this  
19 subsection:

20 (a) "Growth center" means an area that is designated as a mixed-  
21 use, manufacturing, or urban center in a land use or transportation  
22 plan adopted by a regional transportation planning organization or an  
23 adopted multicounty or countywide planning policy.

24 (b) "Transportation center" means an area that is within one-half  
25 mile walking distance of:

26 (i) A station where passengers can access a high capacity  
27 transportation system such as a ferry system, airport, fixed guideway  
28 rail system, or designated bus rapid transit line; or

29 (ii) A stop for a bus or other transit mode providing fixed route  
30 service in intervals of at least every thirty minutes during peak  
31 morning commute hours of six to nine.

32 (c) "Local center" means an area that is:

33 (i) Designated as a center in the local comprehensive plan;

34 (ii) Zoned to provide for medium or high-density mixed-use or  
35 industrial development; and

36 (iii) Not zoned to permit low-density commercial development with  
37 a floor area ratio of one or less.

1       (19) "Value of taxable property" means value of taxable property as  
2 defined in RCW 39.36.015.

3       NEW SECTION. Sec. 2. A new section is added to chapter 39.88 RCW  
4 to read as follows:

5       (1) Prior to imposing the special tax authorized in RCW 39.88.070,  
6 a sponsor must adopt an ordinance in accordance with subsection (3) of  
7 this section, dedicating to the funding of community benefit activities  
8 an amount equal to twenty percent of the maximum stated principal  
9 amount of tax allocation bonds expected to be issued as set forth in  
10 the public improvement ordinance. Amounts dedicated to community  
11 benefit activities must be in addition to those treated as having been  
12 expended on public improvement costs under this chapter. The community  
13 benefit funding requirement must be satisfied in accordance with the  
14 periodic goals set forth in that ordinance.

15       (2)(a) For purposes of this chapter, community benefit activities  
16 include:

17       (i) Activities supporting development of low and moderate-income  
18 housing within walking or transit-connected distance of the  
19 apportionment district;

20       (ii) The conservation of open space, forest lands, and farmlands  
21 including, but not limited to, the transfer of development rights or  
22 the acquisition for conservation purposes of lands or conservation  
23 interests therein, which bear a nexus to the location of the  
24 apportionment district. Such a nexus may include without limitation,  
25 location within the same watershed, designation as corresponding  
26 sending and receiving sites for transfer of development rights under  
27 chapter 39.108 RCW, or other similar environmental nexus. Any city  
28 that is a receiving city in an eligible county, as those terms are  
29 defined in RCW 39.108.010, must comply with subsection (8) of this  
30 section;

31       (iii) Other similar activities that further the sponsor's  
32 affordable housing, environmental and other social equity, and other  
33 public goals described in an ordinance passed pursuant to subsection  
34 (3) of this section. Such goals may include, without limitation:  
35 Retaining small businesses within the apportionment district; workforce  
36 development and supporting fair labor practices within the  
37 apportionment district; increasing the energy efficiency and efficiency

1 of use of water, wastewater, and other natural resources within the  
2 apportionment district; and other activities intended to increase  
3 social equity.

4 (b) The aggregate community benefit funding requirement must be  
5 allocated among these purposes in the following proportions:

6 (i) At least fifty percent of the total amount must be dedicated to  
7 the purposes under subsection (2)(a)(i) of this section;

8 (ii) At least twenty percent of the total amount must be dedicated  
9 to the purposes under subsection (2)(a)(ii) of this section; and

10 (iii) The remaining thirty percent must be dedicated to a  
11 combination of one or more of the purposes described in subsection  
12 (2)(a)(i), (ii), and (iii) of this section.

13 (3) The sponsor's legislative authority must adopt an ordinance  
14 after opportunity for public comment, which sets periodic goals for the  
15 timing of funding community benefit activities during successive  
16 reporting periods of up to five calendar years each:

17 (a) The first such reporting period must begin with the calendar  
18 year during which the special property tax under RCW 39.88.070 is first  
19 collected. The last such required reporting period ends with the  
20 earlier of:

21 (i) The last calendar year during which the special property tax  
22 authorized in RCW 39.88.070 is collected; or

23 (ii) The total community benefit funding requirement has been  
24 satisfied.

25 (b) In setting the funding goals, the sponsor may take into account  
26 projected revenues of the special property tax, projected debt service  
27 coverage ratios set forth in covenants made or entered into in  
28 connection with the issuance of tax allocation bonds, and other  
29 relevant factors. For the purposes of this subsection, "debt service  
30 coverage ratio" means the ratio of projected tax allocation revenues to  
31 the expected aggregate annual debt service on tax allocation bonds.

32 (c) At a minimum, the funding goals must provide that within the  
33 first year of the first reporting period, an amount equal to five  
34 percent of the maximum stated principal amount of tax allocation bonds  
35 expected to be issued, as set forth in the public improvement  
36 ordinance, must be dedicated to the acquisition of real property, or an  
37 interest therein, to be made available for the development of low and  
38 moderate-income housing within walking or transit-connected distance of

1 the apportionment district. A sponsor may meet this goal by depositing  
2 such amount with the Washington state housing finance commission,  
3 created under chapter 43.180 RCW, with a public housing authority, or  
4 by acquiring the real property directly. This amount is deemed a  
5 portion of the allocation dedicated to the purposes under subsection  
6 (2)(b)(i) of this section.

7 (d) The ordinance may be combined with the public improvement  
8 ordinance or may be a separate ordinance.

9 (4) A sponsor is held accountable for meeting its periodic  
10 community benefit funding goals as follows:

11 (a) As soon as practicable after the June 1st that follows the end  
12 of each reporting period, the finance officer or other administrative  
13 officer of the sponsor must report to the legislative authority of the  
14 sponsor at a regular meeting on the amount dedicated by the sponsor to  
15 community benefit activities under this section on an annual basis and  
16 in total over the preceding reporting period. The report must also  
17 include a description of the sponsor's goals for timing of dedication  
18 of community benefit funding over the preceding reporting period and  
19 the total goals set forth in the ordinance adopted pursuant to  
20 subsection (3) of this section. After receiving the report, the  
21 legislative body must make a determination as to whether the sponsor  
22 has met its goals over that reporting period.

23 (b) If a sponsor determines that it has not met its goals for  
24 funding community benefit activities over the reporting period, or if  
25 a taxpayer challenge under (c) of this subsection is upheld, then on or  
26 before the next January 1st, the sponsor must pay the amount by which  
27 the sponsor fell short of its goal for that period, in accordance with  
28 the proportional allocation established under subsection (3)(b) of this  
29 section, for the purposes of furthering the community benefit  
30 activities described in the ordinance adopted under subsection (3) of  
31 this section, as follows for the purposes of:

32 (i) Meeting any obligation to fund the activities under subsection  
33 (2)(a)(i) of this section, to the housing trust fund created pursuant  
34 to chapter 43.185 RCW, to the housing finance commission created  
35 pursuant to chapter 43.180 RCW, or to a local housing authority;

36 (ii) Meeting obligations pursuant to subsection (2)(a)(ii) of this  
37 section, to a rural conservation fund established by the sponsor or to  
38 a qualified county agency or accredited land trust; and



1 (iii) Furthering the social equity and other public goals described  
2 in subsection (2)(a)(iii) of this section and the ordinance adopted  
3 under subsection (3) of this section, to a loan fund operated by the  
4 department of commerce or the department of ecology for purposes of  
5 funding toxics cleanup or energy efficiency improvements, to the  
6 sustainable energy trust program created pursuant to RCW 43.180.260, or  
7 to an instrumentality or fund established by the state or a local  
8 government.

9 (c) Any person who pays the special property tax levied within the  
10 apportionment district may challenge the sponsor's determination that  
11 it has met its community benefit activity funding goals during the  
12 preceding reporting period by filing an objection with the clerk of the  
13 sponsor's legislative body within thirty days after the date of the  
14 sponsor's determination. Upon receipt of such an objection, the clerk  
15 must forward such objection to the chair of the legislative body who  
16 must schedule, at the next practicable opportunity, a public hearing at  
17 which the matter of the community benefit funding goals must be heard.  
18 Notice of the public hearing must be mailed to the taxpayer submitting  
19 the objection and must be given in accordance with the requirements for  
20 giving notice of a special meeting under RCW 42.30.080. If, after due  
21 consideration, the legislative body determines that the sponsor has not  
22 met the community benefit funding goals, the remedy in (b) of this  
23 subsection applies. If the legislative body determines that the  
24 sponsor has met the community benefit funding goals, the taxpayer has  
25 the right to bring action in superior court to compel payment of the  
26 amounts required under (b) of this subsection.

27 (5) The legislative authority of a sponsor may periodically amend  
28 the community benefit funding goals after opportunity for public  
29 comment, so long as the overall goals remain consistent with the  
30 allocation requirements of subsection (2) of this section. If a  
31 sponsor has not issued the maximum amount of tax allocation bonds set  
32 forth in the public improvement ordinance by the date that is five  
33 years after that ordinance was passed, the legislative body may by  
34 ordinance revise downward the maximum expected amount of such bonds and  
35 the amounts required to be dedicated to the community benefit funding  
36 goals must be adjusted accordingly.

37 (6) The community benefit funding requirement expires at the  
38 earlier of thirty years after the special property tax under RCW

1 39.88.070 is first collected or when the total community benefit  
2 funding requirement has been satisfied. A sponsor may at any time  
3 satisfy all or a portion of its community benefit funding requirement  
4 by contributing money, in accordance with the allocations pursuant to  
5 subsection (2) of this section to one or more of the entities listed in  
6 subsection (4)(b) of this section.

7 (7) Nothing in this section may permit expenditures of public funds  
8 prohibited by Article VIII, section 5 or 7 of the state Constitution.  
9 Nothing in this section may be interpreted to grant to any sponsor the  
10 authority to engage in any community benefit activities that are not  
11 otherwise authorized to be undertaken by the sponsor.

12 (8)(a) If the sponsor is a city that is a receiving city, as  
13 defined in RCW 39.108.010, then in the ordinance adopted under this  
14 section, the city must:

15 (i) Determine the number of transferable development rights that  
16 could be acquired, at the time that the special tax under this section  
17 is first imposed, by the use of the amount of money to be dedicated to  
18 the conservation purposes described under subsection (2)(b)(ii) of this  
19 section; and

20 (ii) Set periodic goals for use by landowners or for purchase by  
21 the city of the number of transferable development rights within the  
22 city in accordance with subsection (3) of this section.

23 (b) Actual use by a landowner, or by purchase by the city, of such  
24 transferable development rights is an alternative method of meeting the  
25 conservation funding goal described under subsection (2)(b)(ii) of this  
26 section.

27 (c) Nothing in this section may require a sponsor to dedicate money  
28 to the purchase of transferable development rights in excess of the  
29 dollar amount that would otherwise be required to be dedicated to  
30 conservation purposes under subsection (2)(b)(ii) of this section.

31 **Sec. 3.** RCW 39.88.030 and 1982 1st ex.s. c 42 s 4 are each amended  
32 to read as follows:

33 (1) Only public improvements which are determined by the  
34 legislative authority of the sponsor to meet the following criteria are  
35 eligible to be financed under this chapter:

36 (a) The public improvement is located within an urban area;

1 (b) The public improvement will encourage private development  
2 within the apportionment district;

3 (c) The public improvement will increase the ((fair-market))  
4 assessed value of the real property located within the apportionment  
5 district;

6 (d) The private development which is anticipated to occur within  
7 the apportionment district as a result of the public improvement is  
8 consistent with an existing comprehensive land use plan and approved  
9 growth policies of the jurisdiction within which it is located;

10 (e) A public improvement located within a city has been approved by  
11 the legislative authority of such city; and

12 (f) A public improvement located ((within an urban area)) in an  
13 unincorporated area has been approved by the legislative authority of  
14 the county within whose boundaries the ((area lies.

15 ~~(2) Apportionment of regular property tax revenues to finance the~~  
16 ~~public improvements is subject to the following limitations:~~

17 ~~(a) No apportionment of regular property tax revenues may take~~  
18 ~~place within a previously established apportionment district where~~  
19 ~~regular property taxes are still apportioned to finance public~~  
20 ~~improvements without the concurrence of the sponsor which established~~  
21 ~~the district;~~

22 ~~(b) No apportionment district may be established which includes any~~  
23 ~~geographic area included within a previously established apportionment~~  
24 ~~district which has outstanding bonds payable in whole or in part from~~  
25 ~~tax allocation revenues;~~

26 ~~(c) The total amount of outstanding bonds payable in whole or in~~  
27 ~~part from tax allocation revenues arising from property located within~~  
28 ~~a city shall not exceed two percent of the value of taxable property~~  
29 ~~within the city, and the total amount of outstanding bonds payable in~~  
30 ~~whole or in part from tax allocation revenues arising from property~~  
31 ~~located within the unincorporated areas of a county shall not exceed~~  
32 ~~two percent of the value of taxable property within the entire~~  
33 ~~unincorporated area of the county; and~~

34 ~~(d) No taxes other than regular property taxes may be apportioned~~  
35 ~~under this chapter.~~

36 ~~(3) Public improvements)) apportionment district lies and by the~~  
37 ~~legislative authority of a city having a nexus to the urban growth area~~  
38 ~~in which the apportionment district lies, if any.~~

1       (2) The levying and collection of special property tax revenues to  
2 finance the public improvements may take place within a previously  
3 established apportionment district where special property taxes are  
4 still levied and collected to finance public improvements without the  
5 concurrence of the sponsor which established the previously established  
6 district.

7       (3) Public improvements and community benefit activities may be  
8 undertaken and coordinated with other programs or efforts undertaken by  
9 the sponsor or others and may be funded in whole or in part from  
10 sources other than those provided by this chapter.

11       **Sec. 4.** RCW 39.88.040 and 1982 1st ex.s. c 42 s 5 are each amended  
12 to read as follows:

13       (1) Public improvements funded by tax allocation revenues may only  
14 be located within ((an urban area. In order to secure an allocation of  
15 regular property taxes to finance a public improvement, a sponsor  
16 shall:

17       (1) Propose by ordinance a plan for the public improvement which  
18 includes a description of the contemplated public improvement, the  
19 estimated cost thereof, the boundaries of the apportionment district,  
20 the estimated period during which tax revenue apportionment is  
21 contemplated, and the ways in which the sponsor plans to use tax  
22 allocation revenues to finance the public improvement, and which sets  
23 at least three public hearings thereon before the legislative authority  
24 of the sponsor or a committee thereof: PROVIDED, That public hearings  
25 for the public improvement that is undertaken in combination or  
26 coordination by two or more sponsors may be held jointly; and public  
27 hearings, held before the legislative authority or a committee of a  
28 majority thereof may be combined with public hearings held for other  
29 purposes;

30       (2) At least fifteen days in advance of the hearing:

31       (a) Deliver notice of the hearing to all taxing districts, the  
32 county treasurer, and the county assessor, which notice includes a map  
33 or drawing showing the location of the contemplated public improvement  
34 and the boundaries of the proposed apportionment district, a brief  
35 description of the public improvement, the estimated cost thereof, the  
36 anticipated increase in property values within the apportionment  
37 district, the location of the sponsor's principal business office where

1 ~~it will maintain information concerning the public improvement)) or~~  
2 serve an apportionment district. In order to levy and collect special  
3 property taxes to finance a public improvement, a sponsor must:

4 (a)(i) Propose by ordinance a plan for the public improvements that  
5 includes: A description of the contemplated public improvements and  
6 the estimated costs thereof; the boundaries of the apportionment  
7 district; the maximum period (not to exceed thirty years), during which  
8 the special property tax is to be levied and collected; the maximum  
9 aggregate stated principal amount of tax allocation bonds expected to  
10 be issued, not including accreted value of capital appreciation bonds;  
11 the anticipated level of funding for community benefit activities under  
12 section 2 of this act; and the ways in which the sponsor plans to use  
13 special property tax revenues to finance the public improvements.

14 (i) The public improvement ordinance must also include the  
15 following findings:

16 (A) The public improvements proposed to be financed in whole or in  
17 part using apportionment district financing that are expected to:  
18 Encourage private development within the apportionment district and to  
19 increase the assessed value of real property within the apportionment  
20 district; improve the viability of existing business entities; or  
21 increase employment or affordable housing availability proximate to the  
22 apportionment district;

23 (B) Private development that is anticipated to occur within the  
24 apportionment district as a result of the public improvements is  
25 consistent with:

26 (I) The countywide planning policy adopted by the county under RCW  
27 36.70A.210;

28 (II) The sponsor's comprehensive plan; and

29 (III) Development regulations adopted under chapter 36.70A RCW;

30 (C) The use of the financing tool under this chapter must promote  
31 economic development or redevelopment within the apportionment district  
32 and the sponsor must meet the requirements for funding community  
33 benefit activities under section 2 of this act; and

34 (D) The proposed apportionment district may not be used for the  
35 purpose of encouraging the relocation of a business from outside the  
36 apportionment district, but within the state, into the apportionment  
37 district, unless the governing body of the sponsor finds, based on

1 evidence provided to the apportionment district, that the firm being  
2 relocated would otherwise be likely to leave the state.

3 (iii) The public improvement ordinance must provide for one or more  
4 public hearings on the question of forming the apportionment district,  
5 which must be held before the legislative authority of the sponsor or  
6 a committee thereof. However, public hearings for formation of an  
7 apportionment district that is undertaken in combination or  
8 coordination by two or more sponsors may be held jointly. Public  
9 hearings held before the legislative authority or a committee of a  
10 majority thereof may be combined with public hearings held for other  
11 purposes;

12 (b) At least fifteen days in advance of the hearing:

13 (i) Deliver notice of the hearing to: All taxing districts; the  
14 county treasurer; the county assessor; and the owners or reputed owners  
15 of all lots, tracts, and parcels of land within the proposed  
16 apportionment district, as shown on the rolls of the county assessor  
17 and directed to the address shown thereon. The notice must include:  
18 A map or drawing showing the approximate locations of the contemplated  
19 public improvements and the boundaries of the proposed apportionment  
20 district; a brief description of the proposed public improvements and  
21 the estimated cost thereof; the anticipated level of funding for  
22 community benefit activities under section 2 of this act; the maximum  
23 aggregate stated principal amount of tax allocation bonds expected to  
24 be issued, not including accreted value of capital appreciation bonds;  
25 the maximum period during which the special property tax is to be  
26 levied and collected; the anticipated increase in assessed values  
27 within the apportionment district; the location of the sponsor's  
28 principal business office, where it will maintain information  
29 concerning the public improvements for public inspection((7)); and the  
30 date and place of hearing; and

31 ((+b+)) (ii) Post notice in at least ((six)) three public places  
32 located in the proposed apportionment district and publish notice in a  
33 legal newspaper of general circulation within the sponsor's  
34 jurisdiction briefly describing the public improvement, the proposed  
35 ((apportionment)) special property taxes, the boundaries of the  
36 proposed apportionment district, the location where additional  
37 information concerning the public improvement may be inspected, and the  
38 date and place of hearing;

1       ~~((3))~~ (c) At the time and place fixed for the hearing under  
2 ~~((subsection (1))~~ (a) of this ~~((section))~~ subsection, and at such  
3 times to which the hearing may be adjourned, receive and consider all  
4 statements and materials as may be submitted, and objections and  
5 letters filed before or within ten days thereafter;

6       ~~((4) Within))~~ (d) Not earlier than ten days and not more than one  
7 hundred twenty days after completion of the public ~~((hearings, pass an~~  
8 ~~ordinance establishing the apportionment district and authorizing the~~  
9 ~~proposed public improvement, including any modifications which in the~~  
10 ~~sponsor's opinion the hearings indicated should be made, which includes~~  
11 ~~the boundaries of the apportionment district, a description of the~~  
12 ~~public improvement, the estimated cost thereof, the portion of the~~  
13 ~~estimated cost thereof to be reimbursed from tax allocation revenues,~~  
14 ~~the estimated time during which regular property taxes are to be~~  
15 ~~apportioned, the date upon which apportionment of the regular property~~  
16 ~~taxes will commence, and a finding that the public improvement meets~~  
17 ~~the conditions of RCW 39.88.030))~~ hearing or hearings, pass the public  
18 improvement ordinance establishing the apportionment district and  
19 authorizing the proposed public improvements, including any  
20 modifications that the legislative authority of the sponsor deems  
21 appropriate, which includes: The boundaries of the apportionment  
22 district; a description of the public improvements and the estimated  
23 cost thereof; the maximum aggregate stated principal amount of tax  
24 allocation bonds expected to be issued, not including accreted value of  
25 capital appreciation bonds; the date upon which the levying and  
26 collection of the special property taxes will commence; the maximum  
27 period during which the special property tax is to be levied and  
28 collected; and a finding that the formation of the apportionment  
29 district meets the conditions of RCW 39.88.030 and section 2 of this  
30 act.

31       (2) The authority of the sponsor to proceed with the levying and  
32 collection of special property taxes within an apportionment district  
33 is divested by a protest, filed with the legislative authority of the  
34 sponsor within thirty days after the date of passage of the public  
35 improvement ordinance, and signed by either:

36       (a) The owners of the property within the apportionment district  
37 representing more than fifty percent of the value of taxable property

1 within that apportionment district as reflected on rolls of the county  
2 assessor for the year in which the ordinance is passed; or

3 (b) The owners of sixty-five percent of the parcels comprising the  
4 apportionment district as reflected on rolls of the county assessor for  
5 the year in which the ordinance is passed.

6 **Sec. 5.** RCW 39.88.070 and 1982 1st ex.s. c 42 s 8 are each amended  
7 to read as follows:

8 (1) Upon the date established in the public improvement ordinance,  
9 but not ~~((sooner))~~ earlier than the first day of the calendar year  
10 following the passage of the ordinance(~~(, the regular property taxes~~  
11 ~~levied upon the assessed value of real property within the~~  
12 ~~apportionment district shall be divided as follows:~~

13 ~~(a) That portion of the regular property taxes produced by the rate~~  
14 ~~of tax levied each year by or for each of the taxing districts upon the~~  
15 ~~tax allocation base value of real property, or upon the assessed value~~  
16 ~~of real property in each year, whichever is smaller, shall be allocated~~  
17 ~~to and paid to the respective taxing districts; and~~

18 ~~(b) That portion of the regular property taxes levied each year by~~  
19 ~~or for each of the taxing districts upon the assessed value of real~~  
20 ~~property within an apportionment district which is in excess of the tax~~  
21 ~~allocation base value of real property shall be allocated and paid to~~  
22 ~~the sponsor, or the sponsor's designated agent, until all public~~  
23 ~~improvement costs to be paid from the tax allocation revenues have been~~  
24 ~~paid, except that the sponsor may agree to receive less than the full~~  
25 ~~amount of such portion as long as bond debt service, reserve, and other~~  
26 ~~bond covenant requirements are satisfied, in which case the balance of~~  
27 ~~the taxes shall be allocated to the respective taxing districts as the~~  
28 ~~sponsor and the taxing districts may agree.~~

29 ~~(2) The county assessor shall revalue the real property within the~~  
30 ~~apportionment district)) and no earlier than would be permitted under~~  
31 RCW 84.09.030:

32 (a) Regular property taxes levied upon the property within the  
33 apportionment district by taxing districts must continue to be  
34 collected in accordance with applicable law, without regard to the  
35 existence of the apportionment district or the special property taxes  
36 levied or collected therein; and



1       (b)(i) The sponsor may levy upon the value of taxable property  
2 within the apportionment district, and collect special property taxes  
3 in amounts not in excess of the amounts the legislative authority of  
4 the sponsor deems necessary to provide for the purposes set forth in  
5 RCW 39.88.080, but in annual amounts not in excess of one percent of  
6 the tax allocation increment value within the apportionment district.

7       (ii) Special property taxes collected within an apportionment  
8 district must be paid to the sponsor, or the sponsor's designated  
9 agent, until all public improvement costs and tax allocation bonds  
10 issued or incurred to be paid from the tax allocation revenues have  
11 been paid and the community benefit funding goals have been met, but in  
12 no event may special property taxes be collected longer than the  
13 maximum period set forth in the public improvement ordinance.

14       (iii) Special property taxes are not regular property taxes and are  
15 not subject to the limitations imposed by Article VII, section 2 of the  
16 state Constitution and are in excess of all statutory and charter  
17 limitations otherwise applicable to property taxes.

18       (2) The county assessor must determine the value of the taxable  
19 property within the apportionment district according to the final  
20 assessment roll established for the calendar year in which the public  
21 improvement ordinance is enacted for the purpose of determining the tax  
22 allocation base value for the apportionment district and (~~shall~~) must  
23 certify to the sponsor the tax allocation base value as soon as  
24 practicable after the assessor receives notice of the public  
25 improvement ordinance and (~~shall~~) must certify to the sponsor the  
26 total (~~assessed~~) value of (~~real~~) taxable property within thirty  
27 days after the property values for each succeeding year have been  
28 established, except that the assessed value of state-assessed real  
29 property within the apportionment district (~~shall~~) must be certified  
30 as soon as the values are provided to the assessor by the department of  
31 revenue. Nothing in this section authorizes revaluations of real  
32 property by the assessor for property taxation that are not made in  
33 accordance with the assessor's revaluation plan under chapter 84.41  
34 RCW.

35       (3) The date upon which the apportionment district was established  
36 (~~shall be~~) is considered the date upon which the public improvement  
37 ordinance was enacted by the sponsor.

1           (4) (~~The apportionment of regular property taxes under this~~  
2 ~~section shall cease when tax allocation revenues are no longer~~  
3 ~~necessary or obligated to pay public improvement costs or to pay~~  
4 ~~principal of and interest on bonds issued to finance public improvement~~  
5 ~~costs and payable in whole or in part from tax allocation revenues. At~~  
6 ~~the time of termination of the apportionment, any excess money and any~~  
7 ~~earnings thereon held by the sponsor shall be returned to the county~~  
8 ~~treasurer and distributed to the taxing districts which were subject to~~  
9 ~~the allocation in proportion to their regular property tax levies due~~  
10 ~~for the year in which the funds are returned)) The collection of  
11 special property taxes within an apportionment district under this  
12 section must cease when tax allocation revenues are no longer necessary  
13 or obligated to pay public improvement costs, to satisfy community  
14 benefit funding goals, or to pay tax allocation bonds, but in no event  
15 may special property taxes be collected longer than the maximum period  
16 set forth in the public improvement ordinance. At the time of  
17 termination of the collection of those special property taxes, any  
18 excess money and any earnings thereon held by the sponsor must be spent  
19 on costs of public improvements or on funding for community benefit  
20 activities.~~

21           (5) For purposes of Title 84 RCW, an apportionment district is  
22 deemed a taxing district and any special property tax levy is deemed a  
23 levy of the apportionment district, separate from any other tax levy of  
24 the sponsor.

25           **Sec. 6.** RCW 39.88.080 and 1982 1st ex.s. c 42 s 9 are each amended  
26 to read as follows:

27           (1) Tax allocation revenues may be applied ((as follows:

28           (1) To pay public improvement costs;

29           (2) To pay principal of and interest on, and to fund any necessary  
30 reserves for, tax allocation bonds;

31           (3) To pay into bond funds established to pay the principal of and  
32 interest on general obligation bonds issued pursuant to law to finance  
33 public facilities that are specified in the public improvement  
34 ordinance and constructed following the establishment of and within the  
35 apportionment district; or

36           (4) To pay any combination of the foregoing)) in no particular  
37 order, as follows, to:

1 (a) Pay for public improvements including public improvement costs;  
2 (b) Provide for payments with respect to principal of and interest  
3 on, and to fund any necessary reserves for, tax allocation bonds;

4 (c) Fund community benefit activities in accordance with section 2  
5 of this act; or

6 (d) Pay any combination of the foregoing.

7 (2)(a) In the event that the legislative authority of a sponsor  
8 determines that public improvements specified in the public improvement  
9 ordinance are impracticable to carry out, or if unspent tax allocation  
10 bond proceeds or tax allocation revenues remain after the completion of  
11 the public improvements specified in the public improvement ordinance,  
12 the legislative authority may by ordinance authorize expenditure of the  
13 remaining bond proceeds and tax allocation revenues to retire or  
14 defease those bonds or on other costs of public improvements, after  
15 holding a hearing with public notice given substantially in accordance  
16 with the procedure described in RCW 39.88.040(2). No such change of  
17 use of tax allocation revenues or the proceeds of tax allocation bonds  
18 may permit an increase in the maximum period of time during which the  
19 special property tax is to be levied and collected, or permit an  
20 increase in the total amount of the estimated cost to be paid from  
21 special property taxes or from tax allocation bonds as set forth in the  
22 public improvement ordinance.

23 (b) Upon the retirement or defeasance of all tax allocation bonds  
24 secured by special property taxes levied and collected within an  
25 apportionment district, any remaining tax allocation revenues must be  
26 spent to fund public improvement costs or community benefit activities  
27 specified in accordance with section 2 of this act.

28 **Sec. 7.** RCW 39.88.100 and 1982 1st ex.s. c 42 s 11 are each  
29 amended to read as follows:

30 (1) A sponsor may issue such tax allocation bonds as it may deem  
31 appropriate for the financing of public improvement costs and a  
32 reasonable bond reserve and for the refunding of any outstanding tax  
33 allocation bonds.

34 (2) The principal and interest of tax allocation bonds may be made  
35 payable from:

36 (a) Tax allocation revenues;

37 (b) Project revenues (~~(which)~~) that may include:

1 (i) Nontax income, revenues, fees, and rents from the public  
2 improvement financed with the proceeds of the bonds, or portions  
3 thereof((τ)); and

4 (ii) Contributions, grants, and nontax money available to the  
5 sponsor for payment of costs of the public improvement or the debt  
6 service of the bonds issued therefor;

7 (c) Proceeds of tax allocation bonds, if needed to capitalize  
8 interest for up to thirty-six months following completion of  
9 construction, or as necessary to accomplish a refunding or refinancing  
10 of a prior issue of tax allocation bonds, consistent with applicable  
11 federal tax regulations;

12 (d) Annual ad valorem taxes to be levied within the constitutional  
13 and statutory tax limitations provided by law without a vote of the  
14 electors of the sponsor or other taxing district on all of the taxable  
15 property within the boundaries of that sponsor or other taxing district  
16 that are from the full faith and credit of the sponsor or of any other  
17 taxing district (the provision of which credit is declared to be a  
18 proper purpose for any such taxing district);

19 (e) Any combination of the foregoing.

20 (3) Except and to the extent that a sponsor or other taxing  
21 district has expressly pledged its full faith and credit to the payment  
22 of tax allocation bonds, tax allocation bonds ((shall)) may not be the  
23 general obligation of or guaranteed by all or any part of the full  
24 faith and credit of the sponsor or any other state or local government,  
25 or any tax revenues other than tax allocation revenues, and ((shall))  
26 are not ((be)) considered a debt of the sponsor or other state or local  
27 government for general indebtedness limitation purposes.

28 (4) The terms and conditions of tax allocation bonds may include  
29 provisions for the following matters, among others:

30 (a) The date of issuance, maturity date or dates, denominations,  
31 form, series, negotiability, registration, rank or priority, place of  
32 payment, interest rate or rates which may be fixed or may vary over the  
33 life of the tax allocation bonds, bond reserve, coverage, and such  
34 other terms related to repayment of the tax allocation bonds;

35 (b) The application of tax allocation bond proceeds; the use, sale,  
36 or disposition of property acquired; consideration or rents and fees to  
37 be charged in the sale or lease of property acquired; consideration or  
38 rents and fees to be charged in the sale or lease of property within a

1 public improvement; the application of rents, fees, and revenues within  
2 a public improvement; the maintenance, insurance, and replacement of  
3 property within a public improvement; other encumbrances, if any, upon  
4 all or part of property within a public improvement, then existing or  
5 thereafter acquired; and the type of debts that may be incurred;

6 (c) The creation of special funds; the money to be so applied; and  
7 the use and disposition of the money;

8 (d) The securing of the tax allocation bonds by a pledge of  
9 property and property rights, by assignment of income generated by the  
10 public improvement, or by pledging such additional specifically  
11 described resources other than tax revenues as are available to the  
12 sponsor;

13 (e) The terms and conditions for redemption;

14 (f) The replacement of lost and destroyed bond instruments;

15 (g) Procedures for amendment of the terms and conditions of the tax  
16 allocation bonds;

17 (h) The powers of a trustee to enforce covenants and take other  
18 actions in event of default; the rights, liabilities, powers, and  
19 duties arising upon the breach of any covenant, condition, or  
20 obligation; and

21 (i) When consistent with the terms of this chapter, such other  
22 terms, conditions, and provisions which may make the tax allocation  
23 bonds more marketable and further the purposes of this chapter.

24 (5) Tax allocation bonds may be issued and sold in such manner as  
25 the legislative authority of the sponsor (~~shall~~) determines.  
26 Notwithstanding subsection (4) of this section, tax allocation bonds  
27 may be issued and sold in accordance with chapter 39.46 RCW.

28 (6) The sponsor may also issue or incur obligations in anticipation  
29 of the receipt of tax allocation bond proceeds or other money available  
30 to pay public improvement costs.

31 (7) Nothing in this section grants a sponsor authority to issue tax  
32 allocation bonds payable solely from revenues of a project constituting  
33 a community benefit activity involving the provision of housing or  
34 nonprofit facilities in duplication of the authority of the Washington  
35 state housing finance commission under chapter 43.180 RCW.

36 **Sec. 8.** RCW 84.52.043 and 2011 c 275 s 2 are each amended to read  
37 as follows:

1           Within and subject to the limitations imposed by RCW 84.52.050 as  
2 amended, the regular ad valorem tax levies upon real and personal  
3 property by the taxing districts hereafter named are as follows:

4           (1) Levies of the senior taxing districts are as follows: (a) The  
5 levy by the state may not exceed three dollars and sixty cents per  
6 thousand dollars of assessed value adjusted to the state equalized  
7 value in accordance with the indicated ratio fixed by the state  
8 department of revenue to be used exclusively for the support of the  
9 common schools; (b) the levy by any county may not exceed one dollar  
10 and eighty cents per thousand dollars of assessed value; (c) the levy  
11 by any road district may not exceed two dollars and twenty-five cents  
12 per thousand dollars of assessed value; and (d) the levy by any city or  
13 town may not exceed three dollars and thirty-seven and one-half cents  
14 per thousand dollars of assessed value. However any county is hereby  
15 authorized to increase its levy from one dollar and eighty cents to a  
16 rate not to exceed two dollars and forty-seven and one-half cents per  
17 thousand dollars of assessed value for general county purposes if the  
18 total levies for both the county and any road district within the  
19 county do not exceed four dollars and five cents per thousand dollars  
20 of assessed value, and no other taxing district has its levy reduced as  
21 a result of the increased county levy.

22           (2) The aggregate levies of junior taxing districts and senior  
23 taxing districts, other than the state, may not exceed five dollars and  
24 ninety cents per thousand dollars of assessed valuation. The term  
25 "junior taxing districts" includes all taxing districts other than the  
26 state, counties, road districts, cities, towns, apportionment districts  
27 established under chapter 39.88 RCW, port districts, and public utility  
28 districts. The limitations provided in this subsection do not apply  
29 to: (a) Levies at the rates provided by existing law by or for any  
30 port or public utility district; (b) excess property tax levies  
31 authorized in Article VII, section 2 of the state Constitution; (c)  
32 levies for acquiring conservation futures as authorized under RCW  
33 84.34.230; (d) levies for emergency medical care or emergency medical  
34 services imposed under RCW 84.52.069; (e) levies to finance affordable  
35 housing for very low-income housing imposed under RCW 84.52.105; (f)  
36 the portions of levies by metropolitan park districts that are  
37 protected under RCW 84.52.120; (g) levies imposed by ferry districts  
38 under RCW 36.54.130; (h) levies for criminal justice purposes under RCW

1 84.52.135; (i) the portions of levies by fire protection districts that  
2 are protected under RCW 84.52.125; (j) levies by counties for transit-  
3 related purposes under RCW 84.52.140; (~~and~~) (k) the protected portion  
4 of the levies imposed under RCW 86.15.160 by flood control zone  
5 districts in a county with a population of seven hundred seventy-five  
6 thousand or more that are coextensive with a county; and (l) levies by  
7 or for apportionment districts established under chapter 39.88 RCW.

8 **Sec. 9.** RCW 84.52.043 and 2009 c 551 s 6 are each amended to read  
9 as follows:

10 Within and subject to the limitations imposed by RCW 84.52.050 as  
11 amended, the regular ad valorem tax levies upon real and personal  
12 property by the taxing districts hereafter named (~~shall be~~) are as  
13 follows:

14 (1) Levies of the senior taxing districts (~~shall be~~) are as  
15 follows: (a) The levy by the state (~~shall~~) may not exceed three  
16 dollars and sixty cents per thousand dollars of assessed value adjusted  
17 to the state equalized value in accordance with the indicated ratio  
18 fixed by the state department of revenue to be used exclusively for the  
19 support of the common schools; (b) the levy by any county (~~shall~~) may  
20 not exceed one dollar and eighty cents per thousand dollars of assessed  
21 value; (c) the levy by any road district (~~shall~~) may not exceed two  
22 dollars and twenty-five cents per thousand dollars of assessed value;  
23 and (d) the levy by any city or town (~~shall~~) may not exceed three  
24 dollars and thirty-seven and one-half cents per thousand dollars of  
25 assessed value. However any county is hereby authorized to increase  
26 its levy from one dollar and eighty cents to a rate not to exceed two  
27 dollars and forty-seven and one-half cents per thousand dollars of  
28 assessed value for general county purposes if the total levies for both  
29 the county and any road district within the county do not exceed four  
30 dollars and five cents per thousand dollars of assessed value, and no  
31 other taxing district has its levy reduced as a result of the increased  
32 county levy.

33 (2) The aggregate levies of junior taxing districts and senior  
34 taxing districts, other than the state, (~~shall~~) may not exceed five  
35 dollars and ninety cents per thousand dollars of assessed valuation.  
36 The term "junior taxing districts" includes all taxing districts other  
37 than the state, counties, road districts, cities, towns, apportionment

1 districts established under chapter 39.88 RCW, port districts, and  
2 public utility districts. The limitations provided in this subsection  
3 (~~shall~~) do not apply to: (a) Levies at the rates provided by  
4 existing law by or for any port or public utility district; (b) excess  
5 property tax levies authorized in Article VII, section 2 of the state  
6 Constitution; (c) levies for acquiring conservation futures as  
7 authorized under RCW 84.34.230; (d) levies for emergency medical care  
8 or emergency medical services imposed under RCW 84.52.069; (e) levies  
9 to finance affordable housing for very low-income housing imposed under  
10 RCW 84.52.105; (f) the portions of levies by metropolitan park  
11 districts that are protected under RCW 84.52.120; (g) levies imposed by  
12 ferry districts under RCW 36.54.130; (h) levies for criminal justice  
13 purposes under RCW 84.52.135; (i) the portions of levies by fire  
14 protection districts that are protected under RCW 84.52.125; (~~and~~)  
15 (j) levies by counties for transit-related purposes under RCW  
16 84.52.140; and (k) levies by or for apportionment districts established  
17 under chapter 39.88 RCW.

18 **Sec. 10.** RCW 84.52.050 and 1973 1st ex.s. c 194 s 1 are each  
19 amended to read as follows:

20 (1) Except as (~~hereinafter~~) provided otherwise in this section,  
21 the aggregate of all tax levies upon real and personal property by the  
22 state and all taxing districts, now existing or hereafter created,  
23 (~~shall~~) may not in any year exceed one percentum of the true and fair  
24 value of such property in money(~~:- PROVIDED, HOWEVER, That nothing~~  
25 herein shall prevent). Nothing in this section prevents levies at the  
26 rates now provided by law by or for any port or public utility district  
27 or any apportionment district established under chapter 39.88 RCW. The  
28 term "taxing district" for the purposes of this section (~~shall~~) means  
29 any political subdivision, municipal corporation, district, or other  
30 governmental agency authorized by law to levy, or have levied for it,  
31 ad valorem taxes on property, other than a port or public utility  
32 district or any apportionment district established under chapter 39.88  
33 RCW. Such aggregate limitation or any specific limitation imposed by  
34 law in conformity therewith may be exceeded only as authorized by law  
35 and in conformity with the provisions of Article VII, section 2(a),  
36 (b), or (c) of the state Constitution (~~of the state of Washington.~~



1 ~~Nothing herein contained shall prohibit~~), or in conformity with  
2 any other provision of Article VII of the state Constitution.

3 (2) Nothing in this section prohibits the legislature from  
4 allocating or reallocating the authority to levy taxes between the  
5 taxing districts of the state and its political subdivisions in a  
6 manner which complies with the aggregate tax limitation set forth in  
7 this section.

8 NEW SECTION. **Sec. 11.** The following acts or parts of acts are  
9 each repealed:

10 (1) RCW 39.88.060 (Disagreements between taxing districts) and 1989  
11 c 378 s 1 & 1982 1st ex.s. c 42 s 7; and

12 (2) RCW 39.88.090 (General obligation bonds) and 1982 1st ex.s. c  
13 42 s 10.

14 NEW SECTION. **Sec. 12.** If any provision of this act or its  
15 application to any person or circumstance is held invalid, the  
16 remainder of the act or the application of the provision to other  
17 persons or circumstances is not affected.

18 NEW SECTION. **Sec. 13.** Section 8 of this act expires January 1,  
19 2018.

20 NEW SECTION. **Sec. 14.** Section 9 of this act takes effect January  
21 1, 2018.

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