

SHB 2708 - H AMD 780

By Representative Appleton

ADOPTED 02/17/2016

1 On page 2, line 4, after "(b)" insert "The financing plan in the
2 resolution adopted by the city or town must contain the following
3 information regarding property taxes that will be imposed by the fire
4 protection district and city or town subsequent to the formation of
5 the district:

6 (i) The total combined levy rate of the fire protection district
7 in the first year in which the fire protection district imposes any
8 of the regular property taxes in RCW 52.16.130, 52.16.140, or
9 52.16.160;

10 (ii) The reduction in the city or town general fund regular
11 property tax levy rate in the first year in which the fire protection
12 district imposes any of the property taxes in RCW 52.16.130,
13 52.16.140, or 52.16.160. In calculating the reduction in a city or
14 town general fund regular property tax levy rate under this
15 subsection (1)(b)(ii), the maximum allowable tax rate that the city
16 could have imposed subject to the limitations of chapter 84.55 RCW
17 must be used; and

18 (iii) The estimated aggregate net dollar amount impact on
19 property owners within the city or town based on the levy rate
20 changes described in (b)(i) and (ii) of this subsection (1).

21 (c)"

22 Reletter the remaining subsection consecutively and correct any
23 internal references accordingly.

24 On page 2, line 29, after "authority." insert "The ballot title
25 must include the information regarding property taxes that is
26 required to be in the financing plan of the resolution under
27 subsection (1)(b) of this section."

28 On page 2, after line 36, insert the following:

29 "(3) A city or town must reduce its general fund regular property
30 tax levy by the total combined levy of the fire protection district.
31 The tax rate reduction of the city or town must occur in the first

1 year in which the fire protection district imposes any of the
2 property taxes in RCW 52.16.130, 52.16.140, or 52.16.160 and must be
3 specified in the financing plan and ballot proposition as provided in
4 this section. If the fire protection district does not impose all
5 three levies under RCW 52.16.130, 52.16.140, and 52.16.160 when it
6 begins operations, the city must further reduce its general fund
7 regular property tax levy if the district initially imposes any of
8 the levies in subsequent years.

9 **Sec. 2.** RCW 84.55.092 and 1998 c 16 s 3 are each amended to read
10 as follows:

11 (1) The regular property tax levy for each taxing district other
12 than the state may be set at the amount which would be allowed
13 otherwise under this chapter if the regular property tax levy for the
14 district for taxes due in prior years beginning with 1986 had been
15 set at the full amount allowed under this chapter including any levy
16 authorized under RCW 52.16.160 that would have been imposed but for
17 the limitation in RCW 52.18.065, applicable upon imposition of the
18 benefit charge under chapter 52.18 RCW.

19 (2) The purpose of subsection (1) of this section is to remove
20 the incentive for a taxing district to maintain its tax levy at the
21 maximum level permitted under this chapter, and to protect the future
22 levy capacity of a taxing district that reduces its tax levy below
23 the level that it otherwise could impose under this chapter, by
24 removing the adverse consequences to future levy capacities resulting
25 from such levy reductions.

26 (3) Subsection (1) of this section does not apply to any portion
27 of a city or town's regular property tax levy that has been reduced
28 as part of the formation of a fire protection district under section
29 1 of this act.

30 **Sec. 3.** RCW 29A.36.071 and 2015 c 172 s 3 are each amended to
31 read as follows:

32 (1) Except as provided to the contrary in RCW 82.14.036,
33 82.46.021, or 82.80.090, the ballot title of any referendum filed on
34 an enactment or portion of an enactment of a local government and any
35 other question submitted to the voters of a local government consists
36 of three elements: (a) An identification of the enacting legislative
37 body and a statement of the subject matter; (b) a concise description
38 of the measure; and (c) a question. The ballot title must conform

1 with the requirements and be displayed substantially as provided
2 under RCW 29A.72.050, except that the concise description must not
3 exceed seventy-five words; however, a concise description submitted
4 on behalf of a proposed or existing regional transportation
5 investment district or a proposed fire protection district, as
6 provided in section 1 of this act, may exceed seventy-five words. If
7 the local governmental unit is a city or a town, or if the ballot
8 title is for a referendum under RCW 35.13A.115, the concise statement
9 (~~shall~~) must be prepared by the city or town attorney. If the local
10 governmental unit is a county, the concise statement (~~shall~~) must
11 be prepared by the prosecuting attorney of the county. If the unit is
12 a unit of local government other than a city, town, or county, the
13 concise statement (~~shall~~) must be prepared by the prosecuting
14 attorney of the county within which the majority area of the unit is
15 located.

16 (2) A referendum measure on the enactment of a unit of local
17 government (~~shall~~) must be advertised in the manner provided for
18 nominees for elective office.

19 (3) Subsection (1) of this section does not apply if another
20 provision of law specifies the ballot title for a specific type of
21 ballot question or proposition."

22 Renumber the remaining sections consecutively, correct any
23 internal references accordingly, and correct the title.

EFFECT: Makes the following changes to the underlying substitute bill:

(1) Requires the financing plan in a resolution adopted by a city or town to establish a fire protection district (district) to contain certain information regarding property taxes that are imposed by the city or town and district subsequent to formation of the district. Specifies that the following information regarding property taxes must be contained in the financing plan:

(a) The total combined levy rate of the district in the first year the district imposes any regular property taxes;

(b) The reduction, if any, in the city or town general fund regular property tax levy rate (based on the maximum allowable tax rate that the city could have imposed subject to any limitations) in the first year in which the district imposes any regular property taxes; and

(c) The estimated aggregate net dollar amount impact on property owners within the city or town based on the levy rate changes.

(2) Requires a city or town to reduce its general fund levy commensurate with the new levy or levies imposed by the fire protection district.

(3) Requires the title of a ballot proposition for approval of a resolution establishing a district to include the property tax information required in the resolution.

(4) Establishes that the authority of a city or town to use banked levy capacity (i.e., to set its regular property tax levy rate at the amount that would otherwise be allowed if the city or town had set the regular property tax levy for taxes due in prior years at the full amount allowed under statute) does not apply to any portion of a city or town's regular property tax levy that has been reduced as part of the formation of a district in accordance with provisions of the bill.

(5) Authorizes the concise description of a ballot title submitted on behalf of a proposed district formed in accordance with the bill to exceed seventy-five words in length.

(6) Makes technical changes.

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