

HB 1034 - S COMM AMD

By Committee on Ways & Means

ADOPTED AND ENGROSSED 4/6/2021

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 36.69.145 and 2010 c 106 s 303 are each amended to  
4 read as follows:

5 (1) A park and recreation district may impose regular property  
6 tax levies in an amount equal to ~~((sixty))~~ 60 cents or less per  
7 ~~((thousand dollars))~~ \$1,000 of assessed value of property in the  
8 district in each year for six consecutive years when specifically  
9 authorized so to do by a majority of at least three-fifths of the  
10 voters thereof approving a proposition authorizing the levies  
11 submitted at a special election or at the regular election of the  
12 district, at which election the number of voters voting "yes" on the  
13 proposition must constitute three-fifths of a number equal to  
14 ~~((forty))~~ 40 per centum of the number of voters voting in such  
15 district at the last preceding general election when the number of  
16 voters voting on the proposition does not exceed ~~((forty))~~ 40 per  
17 centum of the number of voters voting in such taxing district in the  
18 last preceding general election; or by a majority of at least three-  
19 fifths of the voters thereof voting on the proposition if the number  
20 of voters voting on the proposition exceeds ~~((forty))~~ 40 per centum  
21 of the number of voters voting in such taxing district in the last  
22 preceding general election. A proposition authorizing the tax levies  
23 may not be submitted by a park and recreation district more than  
24 twice in any ~~((twelve))~~ 12-month period. Ballot propositions must  
25 conform with RCW 29A.36.210. ~~((In the event a park and recreation  
26 district is levying property taxes, which in combination with  
27 property taxes levied by other taxing districts subject to the one  
28 percent limitation provided for in Article 7, section 2, of our state  
29 Constitution result in taxes in excess of the limitation provided for  
30 in RCW 84.52.043(2), the park and recreation district property tax  
31 levy must be reduced or eliminated as provided in RCW 84.52.010.))~~

1 (2) The limitation in RCW 84.55.010 does not apply to the first  
2 levy imposed under this section following the approval of the levies  
3 by the voters under subsection (1) of this section.

4 **Sec. 2.** RCW 84.52.010 and 2017 c 196 s 10 are each amended to  
5 read as follows:

6 (1) Except as is permitted under RCW 84.55.050, all taxes must be  
7 levied or voted in specific amounts.

8 (2) The rate percent of all taxes for state and county purposes,  
9 and purposes of taxing districts coextensive with the county, must be  
10 determined, calculated and fixed by the county assessors of the  
11 respective counties, within the limitations provided by law, upon the  
12 assessed valuation of the property of the county, as shown by the  
13 completed tax rolls of the county, and the rate percent of all taxes  
14 levied for purposes of taxing districts within any county must be  
15 determined, calculated and fixed by the county assessors of the  
16 respective counties, within the limitations provided by law, upon the  
17 assessed valuation of the property of the taxing districts  
18 respectively.

19 (3) When a county assessor finds that the aggregate rate of tax  
20 levy on any property, that is subject to the limitations set forth in  
21 RCW 84.52.043 or 84.52.050, exceeds the limitations provided in  
22 either of these sections, the assessor must recompute and establish a  
23 consolidated levy in the following manner:

24 (a) The full certified rates of tax levy for state, county,  
25 county road district, regional transit authority, and city or town  
26 purposes must be extended on the tax rolls in amounts not exceeding  
27 the limitations established by law; however, any state levy takes  
28 precedence over all other levies and may not be reduced for any  
29 purpose other than that required by RCW 84.55.010. If, as a result of  
30 the levies imposed under RCW 36.54.130, 36.69.145 by a park and  
31 recreation district described under (a)(vii) of this subsection (3),  
32 84.34.230, 84.52.069, 84.52.105, the portion of the levy by a  
33 metropolitan park district that was protected under RCW 84.52.120,  
34 84.52.125, 84.52.135, and 84.52.140, and the portion of the levy by a  
35 flood control zone district that was protected under RCW 84.52.816,  
36 the combined rate of regular property tax levies that are subject to  
37 the one percent limitation exceeds one percent of the true and fair  
38 value of any property, then these levies must be reduced as follows:

1 (i) The portion of the levy by a flood control zone district that  
2 was protected under RCW 84.52.816 must be reduced until the combined  
3 rate no longer exceeds one percent of the true and fair value of any  
4 property or must be eliminated;

5 (ii) If the combined rate of regular property tax levies that are  
6 subject to the one percent limitation still exceeds one percent of  
7 the true and fair value of any property, the levy imposed by a county  
8 under RCW 84.52.140 must be reduced until the combined rate no longer  
9 exceeds one percent of the true and fair value of any property or  
10 must be eliminated;

11 (iii) If the combined rate of regular property tax levies that  
12 are subject to the one percent limitation still exceeds one percent  
13 of the true and fair value of any property, the portion of the levy  
14 by a fire protection district or regional fire protection service  
15 authority that is protected under RCW 84.52.125 must be reduced until  
16 the combined rate no longer exceeds one percent of the true and fair  
17 value of any property or must be eliminated;

18 (iv) If the combined rate of regular property tax levies that are  
19 subject to the one percent limitation still exceeds one percent of  
20 the true and fair value of any property, the levy imposed by a county  
21 under RCW 84.52.135 must be reduced until the combined rate no longer  
22 exceeds one percent of the true and fair value of any property or  
23 must be eliminated;

24 (v) If the combined rate of regular property tax levies that are  
25 subject to the one percent limitation still exceeds one percent of  
26 the true and fair value of any property, the levy imposed by a ferry  
27 district under RCW 36.54.130 must be reduced until the combined rate  
28 no longer exceeds one percent of the true and fair value of any  
29 property or must be eliminated;

30 (vi) If the combined rate of regular property tax levies that are  
31 subject to the one percent limitation still exceeds one percent of  
32 the true and fair value of any property, the portion of the levy by a  
33 metropolitan park district that is protected under RCW 84.52.120 must  
34 be reduced until the combined rate no longer exceeds one percent of  
35 the true and fair value of any property or must be eliminated;

36 (vii) If the combined rate of regular property tax levies that  
37 are subject to the one percent limitation still exceeds one percent  
38 of the true and fair value of any property, then the levies imposed  
39 under RCW 36.69.145 must be reduced until the combined rate no longer  
40 exceeds one percent of the true and fair value of any property or

1 must be eliminated. This subsection (3)(a)(vii) only applies to a  
2 park and recreation district located on an island and within a county  
3 with a population exceeding 2,000,000;

4 (viii) If the combined rate of regular property tax levies that  
5 are subject to the one percent limitation still exceeds one percent  
6 of the true and fair value of any property, then the levies imposed  
7 under RCW 84.34.230, 84.52.105, and any portion of the levy imposed  
8 under RCW 84.52.069 that is in excess of (~~(thirty)~~) 30 cents per  
9 (~~(thousand dollars)~~) \$1,000 of assessed value, must be reduced on a  
10 pro rata basis until the combined rate no longer exceeds one percent  
11 of the true and fair value of any property or must be eliminated; and

12 (~~(viii)~~) (ix) If the combined rate of regular property tax  
13 levies that are subject to the one percent limitation still exceeds  
14 one percent of the true and fair value of any property, then the  
15 (~~(thirty)~~) 30 cents per (~~(thousand dollars)~~) \$1,000 of assessed value  
16 of tax levy imposed under RCW 84.52.069 must be reduced until the  
17 combined rate no longer exceeds one percent of the true and fair  
18 value of any property or eliminated.

19 (b) The certified rates of tax levy subject to these limitations  
20 by all junior taxing districts imposing taxes on such property must  
21 be reduced or eliminated as follows to bring the consolidated levy of  
22 taxes on such property within the provisions of these limitations:

23 (i) First, the certified property tax levy authorized under RCW  
24 84.52.821 must be reduced on a pro rata basis or eliminated;

25 (ii) Second, if the consolidated tax levy rate still exceeds  
26 these limitations, the certified property tax levy rates of those  
27 junior taxing districts authorized under RCW 36.68.525, 36.69.145  
28 except a park and recreation district described under (a)(vii) of  
29 this subsection, 35.95A.100, and 67.38.130 must be reduced on a pro  
30 rata basis or eliminated;

31 (iii) Third, if the consolidated tax levy rate still exceeds  
32 these limitations, the certified property tax levy rates of flood  
33 control zone districts other than the portion of a levy protected  
34 under RCW 84.52.816 must be reduced on a pro rata basis or  
35 eliminated;

36 (iv) Fourth, if the consolidated tax levy rate still exceeds  
37 these limitations, the certified property tax levy rates of all other  
38 junior taxing districts, other than fire protection districts,  
39 regional fire protection service authorities, library districts, the  
40 first (~~(fifty)~~) 50 cent per (~~(thousand dollars)~~) \$1,000 of assessed

1 valuation levies for metropolitan park districts, and the first  
2 ((fifty)) 50 cent per ((thousand—dollars)) \$1,000 of assessed  
3 valuation levies for public hospital districts, must be reduced on a  
4 pro rata basis or eliminated;

5 (v) Fifth, if the consolidated tax levy rate still exceeds these  
6 limitations, the first ((fifty)) 50 cent per ((thousand—dollars))  
7 \$1,000 of assessed valuation levies for metropolitan park districts  
8 created on or after January 1, 2002, must be reduced on a pro rata  
9 basis or eliminated;

10 (vi) Sixth, if the consolidated tax levy rate still exceeds these  
11 limitations, the certified property tax levy rates authorized to fire  
12 protection districts under RCW 52.16.140 and 52.16.160 and regional  
13 fire protection service authorities under RCW 52.26.140(1) (b) and  
14 (c) must be reduced on a pro rata basis or eliminated; and

15 (vii) Seventh, if the consolidated tax levy rate still exceeds  
16 these limitations, the certified property tax levy rates authorized  
17 for fire protection districts under RCW 52.16.130, regional fire  
18 protection service authorities under RCW 52.26.140(1)(a), library  
19 districts, metropolitan park districts created before January 1,  
20 2002, under their first ((fifty)) 50 cent per ((thousand—dollars))  
21 \$1,000 of assessed valuation levy, and public hospital districts  
22 under their first ((fifty)) 50 cent per ((thousand—dollars)) \$1,000  
23 of assessed valuation levy, must be reduced on a pro rata basis or  
24 eliminated.

25 **Sec. 3.** RCW 84.52.043 and 2020 c 253 s 3 are each amended to  
26 read as follows:

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

30 (1) Levies of the senior taxing districts are as follows: (a) The  
31 levies by the state may not exceed the applicable aggregate rate  
32 limit specified in RCW 84.52.065 (2) or (4) adjusted to the state  
33 equalized value in accordance with the indicated ratio fixed by the  
34 state department of revenue to be used exclusively for the support of  
35 the common schools; (b) the levy by any county may not exceed one  
36 dollar and ((eighty)) 80 cents per ((thousand—dollars)) \$1,000 of  
37 assessed value; (c) the levy by any road district may not exceed two  
38 dollars and ((twenty-five)) 25 cents per ((thousand—dollars)) \$1,000  
39 of assessed value; and (d) the levy by any city or town may not

1 exceed three dollars and (~~thirty-seven and one-half~~) 37.5 cents per  
2 (~~thousand dollars~~) \$1,000 of assessed value. However, any county is  
3 hereby authorized to increase its levy from one dollar and (~~eighty~~)  
4 80 cents to a rate not to exceed two dollars and (~~forty-seven and~~  
5 ~~one-half~~) 47.5 cents per (~~thousand dollars~~) \$1,000 of assessed  
6 value for general county purposes if the total levies for both the  
7 county and any road district within the county do not exceed four  
8 dollars and five cents per (~~thousand dollars~~) \$1,000 of assessed  
9 value, and no other taxing district has its levy reduced as a result  
10 of the increased county levy.

11 (2) The aggregate levies of junior taxing districts and senior  
12 taxing districts, other than the state, may not exceed five dollars  
13 and (~~ninety~~) 90 cents per (~~thousand dollars~~) \$1,000 of assessed  
14 valuation. The term "junior taxing districts" includes all taxing  
15 districts other than the state, counties, road districts, cities,  
16 towns, port districts, and public utility districts. The limitations  
17 provided in this subsection do not apply to: (a) Levies at the rates  
18 provided by existing law by or for any port or public utility  
19 district; (b) excess property tax levies authorized in Article VII,  
20 section 2 of the state Constitution; (c) levies for acquiring  
21 conservation futures as authorized under RCW 84.34.230; (d) levies  
22 for emergency medical care or emergency medical services imposed  
23 under RCW 84.52.069; (e) levies to finance affordable housing imposed  
24 under RCW 84.52.105; (f) the portions of levies by metropolitan park  
25 districts that are protected under RCW 84.52.120; (g) levies imposed  
26 by ferry districts under RCW 36.54.130; (h) levies for criminal  
27 justice purposes under RCW 84.52.135; (i) the portions of levies by  
28 fire protection districts and regional fire protection service  
29 authorities that are protected under RCW 84.52.125; (j) levies by  
30 counties for transit-related purposes under RCW 84.52.140; (k) the  
31 portion of the levy by flood control zone districts that are  
32 protected under RCW 84.52.816; (~~and~~) (l) levies imposed by a  
33 regional transit authority under RCW 81.104.175; and (m) levies  
34 imposed by any park and recreation district described under RCW  
35 84.52.010(3)(a)(vii).

36 NEW SECTION. **Sec. 4.** This act applies to taxes levied for  
37 collection in calendar years 2022 through 2026.

38 NEW SECTION. **Sec. 5.** This act expires January 1, 2027."

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**ADOPTED 4/6/2021**

1        On page 1, line 1 of the title, after "levies;" strike the  
2 remainder of the title and insert "amending RCW 36.69.145, 84.52.010,  
3 and 84.52.043; creating a new section; and providing an expiration  
4 date."

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