
SENATE BILL 5692

State of Washington

68th Legislature

2023 Regular Session

By Senators Lovelett, Van De Wege, C. Wilson, and Hunt

Read first time 02/03/23. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to increasing the maximum per pupil limit for
2 enrichment levy authority; amending RCW 84.52.0531; and providing an
3 effective date.

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

5 **Sec. 1.** RCW 84.52.0531 and 2022 c 108 s 3 are each amended to
6 read as follows:

7 (1) Beginning with taxes levied for collection in 2020, the
8 maximum dollar amount which may be levied by or for any school
9 district for enrichment levies under RCW 84.52.053 is equal to the
10 lesser of (~~two dollars and fifty cents~~) \$2.50 per (~~thousand~~
11 ~~dollars~~) \$1,000 of the assessed value of property in the school
12 district or the maximum per-pupil limit. This maximum dollar amount
13 shall be reduced accordingly as provided under RCW 43.09.2856(2).

14 (2) The definitions in this subsection apply to this section
15 unless the context clearly requires otherwise.

16 (a) (i) For the purpose of this section, "inflation" means the
17 percentage change in the seasonally adjusted consumer price index for
18 all urban consumers, Seattle area, for the most recent 12-month
19 period as of September 25th of the year before the taxes are payable,
20 using the official current base compiled by the United States bureau
21 of labor statistics.

1 (ii) For the purpose of this section, "inflation enhancement"
2 means 3.17 percentage points added to inflation each year from the
3 2024 to 2028 calendar years.

4 (b) "Maximum per-pupil limit" means:

5 ~~((Two thousand five hundred dollars))~~ Through the 2028
6 calendar year:

7 (A) \$2,500, as increased by inflation, plus inflation
8 enhancements, beginning with property taxes levied for collection in
9 2020, multiplied by the number of average annual full-time equivalent
10 students enrolled in the school district in the prior school year,
11 for school districts with fewer than ~~((forty thousand))~~ 40,000 annual
12 full-time equivalent students enrolled in the school district in the
13 prior school year; or

14 ~~((ii) Three thousand dollars))~~ (B) \$3,000, as increased by
15 inflation beginning with property taxes levied for collection in
16 2020, multiplied by the number of average annual full-time equivalent
17 students enrolled in the school district in the prior school year,
18 for school districts with ~~((forty thousand))~~ 40,000 or more annual
19 full-time equivalent students enrolled in the school district in the
20 prior school year.

21 (ii) Beginning with the 2029 calendar year, \$3,000, as increased
22 by inflation beginning with property taxes levied for collection in
23 2020, multiplied by the number of average annual full-time equivalent
24 students enrolled in the school district in the prior school year.

25 ~~("Open for in-person instruction to all students" means that~~
26 ~~all students in all grades have the option to participate in at least~~
27 ~~40 hours of planned in-person instruction per month and the school~~
28 ~~follows state department of health guidance and recommendations for~~
29 ~~resuming in-person instruction to the greatest extent practicable.~~

30 ~~(d))~~ "Prior school year" means the most recent school year
31 completed prior to the year in which the levies are to be
32 collected ~~(, except as follows:~~

33 ~~(i) In the 2022 calendar year, if 2019-20 school year average~~
34 ~~annual full-time equivalent enrollment is greater than the school~~
35 ~~district's 2020-21 school year average annual full-time equivalent~~
36 ~~enrollment and the school district is open for in-person instruction~~
37 ~~to all students by the beginning of the 2021-22 school year, "prior~~
38 ~~school year" means the 2019-20 school year.~~

39 ~~(ii) In the 2023 calendar year, if 2019-20 school year average~~
40 ~~annual full-time equivalent enrollment is greater than the school~~

1 ~~district's 2021-22 school year average annual full-time equivalent~~
2 ~~enrollment and the school district was open for in-person instruction~~
3 ~~to all students by the beginning of the 2021-22 school year, "prior~~
4 ~~school year" means the 2019-20 school year).~~

5 (3) For districts in a high/nonhigh relationship, the enrollments
6 of the nonhigh students attending the high school shall only be
7 counted by the nonhigh school districts for purposes of funding under
8 this section.

9 (4) For school districts participating in an innovation academy
10 cooperative established under RCW 28A.340.080, enrollments of
11 students attending the academy shall be adjusted so that each
12 participant district receives its proportional share of student
13 enrollments for purposes of funding under this section.

14 (5) Beginning with propositions for enrichment levies for
15 collection in calendar year 2020 and thereafter, a district must
16 receive approval of an enrichment levy expenditure plan under RCW
17 28A.505.240 before submission of the proposition to the voters.

18 (6) The superintendent of public instruction shall develop rules
19 and regulations and inform school districts of the pertinent data
20 necessary to carry out the provisions of this section.

21 (7) Beginning with taxes levied for collection in 2018,
22 enrichment levy revenues must be deposited in a separate subfund of
23 the school district's general fund pursuant to RCW 28A.320.330, and
24 for the 2018-19 school year are subject to the restrictions of RCW
25 28A.150.276 and the audit requirements of RCW 43.09.2856.

26 (8) Funds collected from levies for transportation vehicles,
27 construction, modernization, or remodeling of school facilities as
28 established in RCW 84.52.053 are not subject to the levy limitations
29 in subsections (1) through (5) of this section.

30 NEW SECTION. **Sec. 2.** This act takes effect January 1, 2024.

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