

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1969

62nd Legislature
2011 Regular Session

Passed by the House April 18, 2011
Yeas 71 Nays 27

Speaker of the House of Representatives

Passed by the Senate April 11, 2011
Yeas 42 Nays 5

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1969** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1969

AS AMENDED BY THE SENATE

Passed Legislature - 2011 Regular Session

State of Washington 62nd Legislature 2011 Regular Session

By Representatives Hasegawa and Springer

Read first time 02/15/11. Referred to Committee on Ways & Means.

1 AN ACT Relating to the exemption of flood control zone districts
2 that are coextensive with a county from certain limitations upon
3 regular property tax levies; amending RCW 84.52.010 and 84.52.043;
4 adding a new section to chapter 84.52 RCW; creating a new section; and
5 providing an expiration date.

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

7 **Sec. 1.** RCW 84.52.010 and 2009 c 551 s 7 are each amended to read
8 as follows:

9 (1) Except as is permitted under RCW 84.55.050, all taxes (~~shall~~)
10 must be levied or voted in specific amounts.

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

1 respective counties, within the limitations provided by law, upon the
2 assessed valuation of the property of the taxing districts
3 respectively.

4 (3) When a county assessor finds that the aggregate rate of tax
5 levy on any property, that is subject to the limitations set forth in
6 RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either
7 of these sections, the assessor (~~shall~~) must recompute and establish
8 a consolidated levy in the following manner:

9 ~~((1))~~ (a) The full certified rates of tax levy for state, county,
10 county road district, and city or town purposes (~~shall~~) must be
11 extended on the tax rolls in amounts not exceeding the limitations
12 established by law; however any state levy (~~shall~~) takes precedence
13 over all other levies and (~~shall~~) may not be reduced for any purpose
14 other than that required by RCW 84.55.010. If, as a result of the
15 levies imposed under RCW 36.54.130, 84.34.230, 84.52.069, 84.52.105,
16 the portion of the levy by a metropolitan park district that was
17 protected under RCW 84.52.120, 84.52.125, 84.52.135, (~~and~~) 84.52.140,
18 and the protected portion of the levy under RCW 86.15.160 by flood
19 control zone districts in a county with a population of seven hundred
20 seventy-five thousand or more that are coextensive with a county, the
21 combined rate of regular property tax levies that are subject to the
22 one percent limitation exceeds one percent of the true and fair value
23 of any property, then these levies (~~shall~~) must be reduced as
24 follows:

25 ~~((a))~~ (i) The protected portion of the levy imposed under RCW
26 86.15.160 by a flood control zone district in a county with a
27 population of seven hundred seventy-five thousand or more that is
28 coextensive with a county must be reduced until the combined rate no
29 longer exceeds one percent of the true and fair value of any property
30 or must be eliminated;

31 (ii) If the combined rate of regular property tax levies that are
32 subject to the one percent limitation still exceeds one percent of the
33 true and fair value of any property, the levy imposed by a county under
34 RCW 84.52.140 (~~shall~~) must be reduced until the combined rate no
35 longer exceeds one percent of the true and fair value of any property
36 or (~~shall~~) must be eliminated;

37 ~~((b))~~ (iii) If the combined rate of regular property tax levies
38 that are subject to the one percent limitation still exceeds one

1 percent of the true and fair value of any property, the portion of the
2 levy by a fire protection district that is protected under RCW
3 84.52.125 (~~shall~~) must be reduced until the combined rate no longer
4 exceeds one percent of the true and fair value of any property or
5 (~~shall~~) must be eliminated;

6 ((~~e~~)) (iv) If the combined rate of regular property tax levies
7 that are subject to the one percent limitation still exceeds one
8 percent of the true and fair value of any property, the levy imposed by
9 a county under RCW 84.52.135 must be reduced until the combined rate no
10 longer exceeds one percent of the true and fair value of any property
11 or must be eliminated;

12 ((~~d~~)) (v) If the combined rate of regular property tax levies
13 that are subject to the one percent limitation still exceeds one
14 percent of the true and fair value of any property, the levy imposed by
15 a ferry district under RCW 36.54.130 must be reduced until the combined
16 rate no longer exceeds one percent of the true and fair value of any
17 property or must be eliminated;

18 ((~~e~~)) (vi) If the combined rate of regular property tax levies
19 that are subject to the one percent limitation still exceeds one
20 percent of the true and fair value of any property, the portion of the
21 levy by a metropolitan park district that is protected under RCW
22 84.52.120 (~~shall~~) must be reduced until the combined rate no longer
23 exceeds one percent of the true and fair value of any property or
24 (~~shall~~) must be eliminated;

25 ((~~f~~)) (vii) If the combined rate of regular property tax levies
26 that are subject to the one percent limitation still exceeds one
27 percent of the true and fair value of any property, then the levies
28 imposed under RCW 84.34.230, 84.52.105, and any portion of the levy
29 imposed under RCW 84.52.069 that is in excess of thirty cents per
30 thousand dollars of assessed value, (~~shall~~) must be reduced on a pro
31 rata basis until the combined rate no longer exceeds one percent of the
32 true and fair value of any property or (~~shall~~) must be eliminated;
33 and

34 ((~~g~~)) (viii) If the combined rate of regular property tax levies
35 that are subject to the one percent limitation still exceeds one
36 percent of the true and fair value of any property, then the thirty
37 cents per thousand dollars of assessed value of tax levy imposed under

1 RCW 84.52.069 (~~shall~~) must be reduced until the combined rate no
2 longer exceeds one percent of the true and fair value of any property
3 or must be eliminated.

4 (~~(+2)~~) (b) The certified rates of tax levy subject to these
5 limitations by all junior taxing districts imposing taxes on such
6 property (~~shall~~) must be reduced or eliminated as follows to bring
7 the consolidated levy of taxes on such property within the provisions
8 of these limitations:

9 (~~(+a)~~) (i) First, the certified property tax levy rates of those
10 junior taxing districts authorized under RCW 36.68.525, 36.69.145,
11 35.95A.100, and 67.38.130 (~~shall~~) must be reduced on a pro rata basis
12 or eliminated;

13 (~~(+b)~~) (ii) Second, if the consolidated tax levy rate still
14 exceeds these limitations, the certified property tax levy rates of
15 flood control zone districts (~~shall~~) that have a population of seven
16 hundred seventy-five thousand or more must be reduced on a pro rata
17 basis or eliminated;

18 (~~(+c)~~) (iii) Third, if the consolidated tax levy rate still
19 exceeds these limitations, the certified property tax levy rates of all
20 other junior taxing districts, other than fire protection districts,
21 regional fire protection service authorities, library districts, the
22 first fifty cent per thousand dollars of assessed valuation levies for
23 metropolitan park districts, and the first fifty cent per thousand
24 dollars of assessed valuation levies for public hospital districts,
25 (~~shall~~) must be reduced on a pro rata basis or eliminated;

26 (~~(+d)~~) (iv) Fourth, if the consolidated tax levy rate still
27 exceeds these limitations, the first fifty cent per thousand dollars of
28 assessed valuation levies for metropolitan park districts created on or
29 after January 1, 2002, (~~shall~~) must be reduced on a pro rata basis or
30 eliminated;

31 (~~(+e)~~) (v) Fifth, if the consolidated tax levy rate still exceeds
32 these limitations, the certified property tax levy rates authorized to
33 fire protection districts under RCW 52.16.140 and 52.16.160 and
34 regional fire protection service authorities under RCW 52.26.140(1) (b)
35 and (c) (~~shall~~) must be reduced on a pro rata basis or eliminated;
36 and

37 (~~(+f)~~) (vi) Sixth, if the consolidated tax levy rate still exceeds
38 these limitations, the certified property tax levy rates authorized for

1 fire protection districts under RCW 52.16.130, regional fire protection
2 service authorities under RCW 52.26.140(1)(a), library districts,
3 metropolitan park districts created before January 1, 2002, under their
4 first fifty cent per thousand dollars of assessed valuation levy, and
5 public hospital districts under their first fifty cent per thousand
6 dollars of assessed valuation levy, (~~shall~~) must be reduced on a pro
7 rata basis or eliminated.

8 **Sec. 2.** 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, port

1 districts, and public utility districts. The limitations provided in
2 this subsection (~~shall~~) do not apply to: (a) Levies at the rates
3 provided by existing law by or for any port or public utility district;
4 (b) excess property tax levies authorized in Article VII, section 2 of
5 the state Constitution; (c) levies for acquiring conservation futures
6 as authorized under RCW 84.34.230; (d) levies for emergency medical
7 care or emergency medical services imposed under RCW 84.52.069; (e)
8 levies to finance affordable housing for very low-income housing
9 imposed under RCW 84.52.105; (f) the portions of levies by metropolitan
10 park districts that are protected under RCW 84.52.120; (g) levies
11 imposed by ferry districts under RCW 36.54.130; (h) levies for criminal
12 justice purposes under RCW 84.52.135; (i) the portions of levies by
13 fire protection districts that are protected under RCW 84.52.125;
14 (~~and~~) (j) levies by counties for transit-related purposes under RCW
15 84.52.140; and (k) the protected portion of the levies imposed under
16 RCW 86.15.160 by flood control zone districts in a county with a
17 population of seven hundred seventy-five thousand or more that are
18 coextensive with a county.

19 NEW SECTION. Sec. 3. A new section is added to chapter 84.52 RCW
20 to read as follows:

21 A flood control zone district that is coextensive with a county may
22 protect the levy under RCW 86.15.160(1) from prorationing under RCW
23 84.52.010(3)(b)(ii) by imposing up to a total of twenty-five cents per
24 thousand dollars of assessed value of the tax levy authorized under RCW
25 86.15.160 outside of the five dollars and ninety cents per thousand
26 dollars of assessed value limitation under RCW 84.52.043(2), if those
27 taxes otherwise would be prorated under RCW 84.52.010(3)(b)(ii).

28 NEW SECTION. Sec. 4. This act applies to taxes levied for
29 collection in 2012 through 2017.

30 NEW SECTION. Sec. 5. This act expires January 1, 2018.

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