
HOUSE BILL 1486

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Fitzgibbon, Stanford, Bergquist, Roberts, and Van De Wege

1 AN ACT Relating to voter-approved benefit charges for regional fire
2 protection service authorities; and amending RCW 52.26.220, 52.26.230,
3 and 84.55.092.

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

5 **Sec. 1.** RCW 52.26.220 and 2006 c 200 s 12 are each amended to read
6 as follows:

7 (1) (~~Notwithstanding any other provision in this chapter to the~~
8 ~~contrary, any~~) (a) The initial imposition of a benefit charge
9 authorized by this chapter (~~is not effective unless a proposition to~~
10 ~~impose the benefit charge is approved by a~~) must be approved by sixty
11 percent (~~majority~~) of the voters of the regional fire protection
12 service authority voting at a general election or at a special election
13 called by the authority for that purpose (~~, held within the~~
14 ~~authority~~). ((A)) Ballot (~~measure that contains~~) measures
15 containing an authorization to impose benefit charges (~~and~~) that
16 (~~is~~) are approved by the voters pursuant to RCW 52.26.060 (~~meets~~)
17 satisfy the proposition approval requirement of this section.

18 (b) An election held (~~under this section~~) for the initial

1 imposition of a benefit charge must be held not more than twelve months
2 prior to the date on which the first charge is to be assessed.

3 (c) A benefit charge approved at an election expires in six
4 (~~years~~) or fewer years as authorized by the voters, unless
5 subsequently reapproved by the voters.

6 (2) (~~The~~) Ballot measures calling for the initial imposition of
7 a benefit charge must be submitted so as to enable (~~the~~) voters
8 favoring the authorization of (~~a regional fire protection service~~
9 ~~authority~~) benefit charges to vote "Yes" and those opposed to vote
10 "No." The ballot question is as follows:

11 "Shall the regional fire protection service
12 authority composed of (insert the participating fire protection
13 jurisdictions) be authorized to impose benefit
14 charges each year for (insert number of years not to
15 exceed six) years, not to exceed an amount equal to sixty
16 percent of its operating budget, and be prohibited from
17 imposing an additional property tax under RCW 52.26.140(1)(c)?

18 YES NO
19

20 (3) (~~Authorities renewing the benefit charge may elect to use the~~
21 ~~following alternative ballot~~) (a) The continued imposition of benefit
22 charges authorized by this chapter must be approved by a majority of
23 the voters of the regional fire protection service authority voting at
24 a general election or at a special election called by the authority for
25 that purpose.

26 (b) Ballot measures calling for the continued imposition of benefit
27 charges must be submitted so as to enable voters favoring the continued
28 imposition of benefit charges to vote "Yes" and those opposed to vote
29 "No." The ballot question must be substantially in the following form:

30 "Shall the regional fire protection service authority
31 composed of (insert the participating fire protection
32 jurisdictions) be authorized to continue voter-
33 authorized benefit charges each year for (insert number
34 of years not to exceed six) years, not to exceed an amount
35 equal to sixty percent of its operating budget, and be
36 prohibited from imposing an additional property tax under RCW
37 52.26.140(1)(c)?

1 YES NO
2

3 **Sec. 2.** RCW 52.26.230 and 2004 c 129 s 29 are each amended to read
4 as follows:

5 (1) Not fewer than ten days nor more than six months before the
6 election at which the proposition to impose the benefit charge is
7 submitted as provided in this chapter, the governing board of the
8 regional fire protection service authority, or the planning committee
9 if the benefit charge is proposed as part of the initial formation of
10 the authority, shall hold a public hearing specifically setting forth
11 its proposal to impose benefit charges for the support of its legally
12 authorized activities that will maintain or improve the services
13 afforded in the authority. A report of the public hearing shall be
14 filed with the county treasurer of each county in which the property is
15 located and be available for public inspection.

16 (2) Prior to November 15th of each year the governing board of the
17 authority shall hold a public hearing to review and establish the
18 regional fire protection service authority benefit charges for the
19 subsequent year.

20 (3) All resolutions imposing or changing the benefit charges must
21 be filed with the county treasurer or treasurers of each county in
22 which the property is located, together with the record of each public
23 hearing, before November 30th immediately preceding the year in which
24 the benefit charges are to be collected on behalf of the authority.

25 (4) After the benefit charges have been established, the owners of
26 the property subject to the charge must be notified of the amount of
27 the charge.

28 **Sec. 3.** RCW 84.55.092 and 1998 c 16 s 3 are each amended to read
29 as follows:

30 The regular property tax levy for each taxing district other than
31 the state may be set at the amount which would be allowed otherwise
32 under this chapter if the regular property tax levy for the district
33 for taxes due in prior years beginning with 1986 had been set at the
34 full amount allowed under this chapter including any levy authorized
35 under RCW 52.16.160 or 52.26.140(1)(c) that would have been imposed but

1 for the limitation in RCW 52.18.065 or 52.26.240, applicable upon
2 imposition of the benefit charge under chapter 52.18 RCW or RCW
3 52.26.180.

4 The purpose of this section is to remove the incentive for a taxing
5 district to maintain its tax levy at the maximum level permitted under
6 this chapter, and to protect the future levy capacity of a taxing
7 district that reduces its tax levy below the level that it otherwise
8 could impose under this chapter, by removing the adverse consequences
9 to future levy capacities resulting from such levy reductions.

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