

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1471

67th Legislature
2021 Regular Session

Passed by the House March 1, 2021
Yeas 96 Nays 1

**Speaker of the House of
Representatives**

Passed by the Senate April 3, 2021
Yeas 46 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1471** 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 1471

Passed Legislature - 2021 Regular Session

State of Washington

67th Legislature

2021 Regular Session

By Representatives Santos, Harris-Talley, and Lekanoff

Read first time 02/03/21. Referred to Committee on Community & Economic Development.

1 AN ACT Relating to community preservation and development
2 authorities; and amending RCW 43.167.003 and 43.167.010.

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

4 **Sec. 1.** RCW 43.167.003 and 2019 c 447 s 3 are each amended to
5 read as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1) "Community" means a group of people who reside or work in the
9 geographic area established by the community preservation and
10 development authority board or the proposal to create the authority
11 and who currently or historically share a distinct cultural identity
12 or local history.

13 (2) "Community preservation and development authority" or
14 "authority" means (~~(an authority)~~) a public body corporate and
15 politic and instrumentality of the state of Washington created by
16 members of an impacted community.

17 (3) "Constituency" means the general membership of the community
18 preservation and development authority, which membership must be open
19 to all persons eighteen years of age and over who are residents,
20 property owners, employees, or business persons within the geographic

1 boundaries established by the authority or the proposal to create the
2 authority.

3 (4) "Impacted community" means a community that has been
4 adversely impacted by the construction of, or ongoing operation of,
5 multiple major public facilities, public works, and capital projects
6 with significant public funding or by other land use decisions.

7 (5) "Major public facilities project, public works project, or
8 capital project with significant public funding" means any capital
9 project whose total cost exceeds ten million dollars. On July 1,
10 2019, and on July 1st of each odd-numbered year thereafter, the
11 capital project cost threshold must be adjusted by the capital
12 project cost adjustment factor for inflation established by the
13 office of financial management.

14 **Sec. 2.** RCW 43.167.010 and 2019 c 447 s 4 are each amended to
15 read as follows:

16 (1) The residents, property owners, employees, or business owners
17 of an impacted community may propose formation of a community
18 preservation and development authority. The proposal to form a
19 community preservation and development authority must be presented in
20 writing to the appropriate legislative committee in both the house of
21 representatives and the senate. The proposal must contain proposed
22 general geographic boundaries that will be used to define the
23 community for the purposes of the authority. Proposals presented
24 after January 1, 2020, must identify in its proposal one or more
25 stable revenue sources that (a) have a nexus with the multiple
26 publicly funded facilities or other land use decisions that have
27 adversely impacted the community, and (b) can be used to support
28 future operating or capital projects that will be identified in the
29 strategic plan required under RCW 43.167.030.

30 (2) Formation of the community preservation and development
31 authority is subject to legislative authorization by statute. The
32 legislature must find that (a) the area within the proposal's
33 geographic boundaries meets the definition of "impacted community"
34 contained in RCW 43.167.003(4) and (b) those persons that have
35 brought forth the proposal are members of the community as defined in
36 RCW 43.167.003(1) and, if the authority were approved, would meet the
37 definition of constituency contained in RCW 43.167.003(3). For
38 proposals brought after January 1, 2020, the legislature must also
39 find that the community has identified one or more stable revenue

1 sources as required in subsection (1) of this section. The
2 legislature may then act to authorize the establishment of the
3 community preservation and development authority in law.

4 (3) The affairs of a community preservation and development
5 authority shall be managed by a board of directors, consisting of the
6 following members:

7 (a) Two members who own, operate, or represent businesses within
8 the community;

9 (b) Two members who reside in the community;

10 (c) Two members who are involved in providing nonprofit community
11 or social services within the community;

12 (d) Two members who are involved in the arts and entertainment
13 within the community;

14 (e) Two members with knowledge of the community's culture and
15 history;

16 (f) One member who is involved in a nonprofit or public planning
17 organization that directly serves the impacted community; and

18 (g) Two representatives of the local legislative authority or
19 authorities, as ex officio members.

20 (4) No member of the board shall hold office for more than
21 (~~four~~) six years. Board positions shall be numbered one through
22 nine, and the terms staggered as follows:

23 (a) Board members elected to positions one through five shall
24 serve (~~two-year~~) three-year terms, and if reelected, may serve no
25 more than one additional (~~two-year~~) three-year term.

26 (b) Board members initially elected to positions six through
27 thirteen shall serve a (~~three-year~~) two-year term (~~only~~), and if
28 reelected, may serve no more than one additional three-year term.

29 (c) Board members elected to positions six through thirteen after
30 the (~~initial three-year term~~) initially elected members shall serve
31 (~~two-year~~) three-year terms, and if reelected, may serve no more
32 than one additional (~~two-year~~) three-year term.

33 (5) With respect to an authority's initial board of directors:
34 The state legislative delegation and those proposing formation of the
35 authority shall jointly establish a committee to select the members
36 of the initial board of directors once the authority has received
37 legislative approval as established in subsection (2) of this
38 section. For the purpose of identifying those persons who meet the
39 criteria in subsection (3)(a) through (e) of this section, community

1 shall mean the proposed geographic boundaries as set out in the
2 proposal.

3 (6) With respect to subsequent elections of an authority's board
4 of directors: A list of candidates shall be developed by the
5 authority's existing board of directors and the election shall be
6 held during the annual local town hall meeting as required in RCW
7 43.167.030.

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