
HOUSE BILL 1997

State of Washington

64th Legislature

2015 Regular Session

By Representatives Tharinger and Tarleton

Read first time 02/05/15. Referred to Committee on Community Development, Housing & Tribal Affairs.

1 AN ACT Relating to authorizing the creation and use of community
2 facilities districts in limited areas of more intensive rural
3 development; amending RCW 36.145.020; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that requests
6 for state funding for local infrastructure projects exceeds the
7 resources available for these projects. As a result, alternate
8 funding mechanisms for local infrastructure projects have become an
9 increasingly valuable financing option for projects that have
10 meaningful impacts on the lives of many Washingtonians and the
11 businesses that serve them.

12 Therefore, the legislature intends to broaden the potential
13 creation and use of community facilities districts for financing
14 infrastructure projects by allowing these districts to be formed and
15 utilized in limited areas of more intensive rural development. The
16 legislature does not intend for this act to modify growth management
17 planning requirements under chapter 36.70A RCW, nor does it intend
18 for this act to increase the size of limited areas of more intensive
19 rural development, or the allowable or potential development in these
20 areas.

1 **Sec. 2.** RCW 36.145.020 and 2010 c 7 s 201 are each amended to
2 read as follows:

3 (1) Community facilities districts are authorized to be formed
4 for the purposes authorized under this chapter. Community facilities
5 districts must be created in accordance with this chapter and may
6 only include land within:

7 (a) Urban growth areas designated under ((the state growth
8 management act, located in portions of one or more cities, towns, or
9 counties when created in accordance with this chapter)) RCW
10 36.70A.110; or

11 (b) Limited areas of more intensive rural development designated
12 under RCW 36.70A.070(5)(d). Nothing in this subsection (1)(b)
13 modifies or may be construed as modifying requirements under chapter
14 36.70A RCW. A district may include one or more noncontiguous tracts,
15 lots, parcels, or other properties meeting the requirements of this
16 chapter.

17 ((+1+)) (2) To form a community facilities district, a petition
18 must be presented to the applicable legislative authorities. The
19 petition must:

20 (a) Designate and describe the boundaries of the district by
21 metes and bounds or reference to United States townships, ranges, and
22 legal subdivisions;

23 (b) Be executed by one hundred percent of all owners of private
24 property located within the boundaries of the proposed district. The
25 property owners must include a request to subject their property to
26 the assessments, up to the amount included in the petition and
27 authorized under this chapter;

28 (c) Include a certification by the petitioners that they want to
29 voluntarily submit their property to the authority of the district
30 under this chapter to approve the petitioner's request to submit
31 their property to the assessments, up to the amount included in the
32 petition and authorized under this chapter;

33 (d) Include a general explanation of the objective and plan of
34 the district and describe the specific facilities that the district
35 anticipates financing;

36 (e) Declare the district will be conducive to public health,
37 safety, and welfare;

38 (f) Assert that the purpose for forming the district will be a
39 benefit to the land located in the district;

1 (g) Be accompanied by an "obligation" signed by at least two
2 petitioners who agree to pay the costs of the formation process;

3 (h) Include a list of petitioners or representatives thereof who
4 are willing and able to serve on the board of supervisors. All
5 petitioners within a proposed district who are natural persons, or
6 natural persons who are designated representatives of petitioners,
7 are eligible to include their name on the list of eligible
8 supervisors. The petitioners may nominate qualified professions to
9 serve on the board of supervisors in lieu of the petitioners or
10 representatives of the petitioners;

11 (i) If it proposes a special assessment, include: (i) A diagram
12 showing each separate lot, tract, parcel of land, or other property
13 in the district; (ii) the acreage of the property; (iii) the name and
14 address of the owner or reputed owner of each lot, tract, parcel of
15 land, or other property as shown on the tax rolls of the county
16 assessor; (iv) a preliminary assessment roll showing the special
17 assessment proposed to be imposed on each lot, tract, parcel of land,
18 or other property; and (v) a proposed method or combination of
19 methods for computing special assessments, determining the benefit to
20 assessed property or use from facilities or improvements funded
21 directly or indirectly by special assessments under this chapter; and

22 (j) Include an explanation of what security will be provided to
23 ensure the timely payment of assessments and the timely payment of
24 bonds issued by the district.

25 ((+2)) (3) The petition must be filed with the auditor of each
26 county in which property included within the proposed district is
27 located. The auditor for the county in which the largest geographic
28 portion of the proposed district is located must be the lead auditor
29 for the purposes of this section. Within thirty days of the lead
30 auditor's receipt of the petition, the lead auditor must confirm that
31 the petition has been validly executed by one hundred percent of all
32 owners of the property located within the proposed district,
33 including confirmation by the auditors of all other counties with
34 whom the petition was filed. Within ten days of the lead auditor's
35 finding that the petition either does or does not contain the
36 required signatures, the lead auditor must either (a) transmit the
37 petition, together with a certificate of sufficiency attached
38 thereto, to each legislative authority petitioned for formation of
39 the district; or (b) return the petition to the petitioners with a
40 list of property owners who must sign the petition in order to comply

1 with this section. There are no restrictions on the number of
2 petitions that may be submitted by one or more property owners.

3 ~~((3))~~ (4) A petition may be amended for any reason if the
4 amendment is signed by one hundred percent of the owners of property
5 located within the district proposed in the amended petition.

--- END ---