
SENATE BILL 5545

State of Washington 61st Legislature 2009 Regular Session

By Senators Regala, Kastama, Jacobsen, and Shin

Read first time 01/26/09. Referred to Committee on Economic
Development, Trade & Innovation.

1 AN ACT Relating to local retail sales and use tax for parks and
2 recreation, trails, and open space allocation; and adding a new section
3 to chapter 82.14 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 82.14 RCW
6 to read as follows:

7 (1) Upon the joint request of a metropolitan park district, a city
8 with a population of more than one hundred fifty thousand, and a county
9 legislative authority in a county with a national park and a population
10 of more than five hundred thousand and less than one million five
11 hundred thousand, the county shall submit an authorizing proposition to
12 the county voters, fixing and imposing a sales and use tax in
13 accordance with this chapter for the purposes designated in subsection
14 (4) of this section and identified in the joint request. The
15 proposition must be placed on a ballot for a special or general
16 election to be held no later than one year after the date of the joint
17 request.

18 (2) The proposition is approved if it receives the votes of a
19 majority of those voting on the proposition.

1 (3) The tax authorized in this section is in addition to any other
2 taxes authorized by law and shall be collected from those persons who
3 are taxable by the state under chapters 82.08 and 82.12 RCW upon the
4 occurrence of any taxable event within the county. The rate of tax
5 shall equal no more than one-tenth of one percent of the selling price
6 in the case of a sales tax, or value of the article used, in the case
7 of a use tax.

8 (4) Moneys received from any tax imposed under this section shall
9 be used solely for the purpose of providing funds for:

10 (a) Costs associated with financing, design, acquisition,
11 construction, equipping, operating, maintaining, remodeling, repairing,
12 reequipping, or improvement of trails, parks, and recreation;

13 (b) Costs associated with allocating grants to build, acquire, and
14 maintain part of an interconnecting trail system;

15 (c) Costs associated with purchasing open space; or

16 (d) Those costs under (a), (b), and (c) of this subsection and
17 costs related to parks located within a county described under
18 subsection (1) of this section.

19 (5) If the joint request and the authorizing proposition include
20 provisions for funding those costs included within subsection (4)(d) of
21 this section, the tax revenues authorized by this section shall be
22 allocated annually as follows:

23 (a) Thirty percent to any metropolitan park district, which
24 district contains a city with a population of more than one hundred
25 seventy thousand persons. Moneys received under this subsection (5)(a)
26 may not be used to replace or supplant existing per capita funding from
27 a city with a population of more than one hundred thousand persons;

28 (b) Forty percent to be distributed to the county. Moneys received
29 under this subsection (5)(b) by a county may not be used to replace or
30 supplant existing per capita funding;

31 (c) Twenty percent to a grant program for cities, towns, and
32 communities established in subsection (1) of this section to build,
33 acquire, and maintain part of an interconnecting trail system; and

34 (d) Ten percent to open space allocation to be administered using
35 the priorities and selection process established by the county's
36 conservation futures program as authorized under RCW 84.34.210 and
37 84.34.220.

1 (6) Funds shall be distributed annually by the county treasurer to
2 the county in the manner set out in subsection (5)(b) of this section.

3 (7) Funds shall be distributed annually by the county treasurer to
4 the metropolitan park district in the manner provided in subsection
5 (5)(a) of this section.

6 (8) Prior to the expenditure of any funds received by the county
7 under subsection (5)(c) of this section, a community trail advisory
8 authority shall establish a grant program that considers trail needs in
9 cities and towns with populations under one hundred seventy thousand
10 persons and metropolitan park districts not included in subsection
11 (5)(a) of this section.

12 (a) The community trail advisory authority shall have seven members
13 composed of elected officials, of which three members are appointed
14 from city councils of cities with populations over fifteen thousand
15 persons and three members appointed from cities with populations
16 smaller than fifteen thousand persons. One member will be appointed
17 from one of the metropolitan park districts.

18 (b) An existing representative body of city and town elected
19 officials, which is established by an interlocal agreement to represent
20 sixty of the cities in the county will appoint the community trail
21 advisory authority members from names submitted by the cities, towns,
22 and metropolitan park districts. The length of terms for the authority
23 members shall be three years.

24 (c) The county department that administers parks and recreation in
25 a county in which the proposition provided for in subsection (1) of
26 this section has been approved by the voters will administer the grant
27 program by advertising for grants, and will assist the community trail
28 advisory authority in setting guidelines and priorities. The county
29 department will recover its administration costs for this program from
30 the money allocated in subsection (5)(c) of this section.

31 (d) Excess funds not distributed on an annual basis may be
32 accumulated for proceeding grant cycles.

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