
SUBSTITUTE SENATE BILL 6246

State of Washington

65th Legislature

2018 Regular Session

By Senate State Government, Tribal Relations & Elections (originally sponsored by Senators Mullet, Palumbo, Carlyle, Fain, Frockt, Dhingra, Pedersen, Wellman, Kuderer, Keiser, Billig, McCoy, Takko, Rolfes, Cleveland, Lias, Hunt, Conway, Van De Wege, and Miloscia)

READ FIRST TIME 02/02/18.

1 AN ACT Relating to school district elections; amending RCW
2 28A.535.020, 28A.535.030, 28A.535.050, 84.52.056, and 39.36.020; and
3 providing a contingent effective date.

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

5 **Sec. 1.** RCW 28A.535.020 and 1996 c 48 s 2 are each amended to
6 read as follows:

7 Whenever the board of directors of any school district shall deem
8 it advisable to validate and ratify the indebtedness mentioned in RCW
9 28A.535.010, they shall provide therefor by resolution, which shall
10 be entered on the records of such school district, which resolution
11 shall provide for the holding of an election for the purpose of
12 submitting the question of validating and ratifying the indebtedness
13 so incurred to the voters of such school district for approval or
14 disapproval, and if at such election (~~three-fifths~~) fifty-five
15 percent of the voters in such school district voting at such election
16 shall vote in favor of the validation and ratification of such
17 indebtedness, then such indebtedness so validated and ratified and
18 every part thereof existing at the time of the adoption of said
19 resolution shall thereby become and is hereby declared to be
20 validated and ratified and a binding obligation upon such school
21 district.

1 **Sec. 2.** RCW 28A.535.030 and 2015 c 53 s 16 are each amended to
2 read as follows:

3 At the time of the adoption of the resolution provided for in RCW
4 28A.535.020, the board of directors shall direct the school district
5 superintendent to give notice to the county auditor of the suggested
6 time and purpose of such election, and specifying the amount and
7 general character of the indebtedness proposed to be ratified. Such
8 notice must identify the major projects to be constructed and
9 estimated amount required for such projects to be constructed with
10 the indebtedness proposed to be ratified. Such notice must also
11 include estimates of other funds available to support those major
12 projects. Any such identification of projects or estimation of costs
13 is solely for the purpose of informing voters and is not intended to
14 restrict the actual use of bond proceeds. Upon completion of all
15 construction projects financed with the indebtedness so ratified, the
16 school district superintendent must publish a final report describing
17 the actual uses of such funds. Such superintendent shall also cause
18 written or printed notices to be posted in at least five places in
19 such school district at least twenty days before such election. In
20 addition to his or her other duties relating thereto, the county
21 auditor shall give notice of such election as provided for in RCW
22 29A.52.355.

23 **Sec. 3.** RCW 28A.535.050 and 1984 c 186 s 14 are each amended to
24 read as follows:

25 If the indebtedness of such school district is validated and
26 ratified, as provided in this chapter, by (~~three-fifths~~) fifty-five
27 percent of the voters voting at such election, the board of directors
28 of such school district, without any further vote, may borrow money
29 and issue and sell negotiable bonds therefor in accordance with
30 chapter 39.46 RCW.

31 **Sec. 4.** RCW 84.52.056 and 2010 c 115 s 3 are each amended to
32 read as follows:

33 (1) Any municipal corporation otherwise authorized by law to
34 issue general obligation bonds for capital purposes may, at an
35 election duly held after giving notice thereof as required by law,
36 authorize the issuance of general obligation bonds for capital
37 purposes only, which does not include the replacement of equipment,
38 and provide for the payment of the principal and interest of such

1 bonds by annual levies in excess of the tax limitations contained in
2 RCW 84.52.050 to 84.52.056, inclusive and RCW 84.52.043. Such an
3 election may not be held more often than twice a calendar year, and
4 the proposition to issue any such bonds and to exceed the tax
5 limitation must receive the affirmative vote of a three-fifths
6 majority of those voting on the proposition and the total number of
7 (~~persons~~) voters voting at the election must constitute not less
8 than forty percent of the voters in the municipal corporation who
9 voted at the last preceding general state election, except that a
10 proposition by a school district to issue such bonds and to pay the
11 principal and interest on the bonds by annual tax levies shall be
12 authorized by receiving the affirmative vote of fifty-five percent of
13 the voters voting on the proposition.

14 (2) Any taxing district has the right by vote of its governing
15 body to refund any general obligation bonds of said district issued
16 for capital purposes only, and to provide for the interest thereon
17 and amortization thereof by annual levies in excess of the tax
18 limitations provided for in RCW 84.52.050 to 84.52.056, inclusive and
19 RCW 84.52.043.

20 (3) For the purposes of this section, "bond" includes a municipal
21 corporation's obligation to make payments to the state in connection
22 with a financing contract entered into by the state by or on behalf
23 of a municipal corporation under chapter 39.94 RCW.

24 **Sec. 5.** RCW 39.36.020 and 2000 c 156 s 1 are each amended to
25 read as follows:

26 (1) Except as otherwise expressly provided by law or in
27 subsections (2), (3) and (4) of this section, no taxing district
28 shall for any purpose become indebted in any manner to an amount
29 exceeding three-eighths of one percent of the value of the taxable
30 property in such taxing district without the assent of three-fifths
31 of the voters therein voting at an election to be held for that
32 purpose, nor in cases requiring such assent shall the total
33 indebtedness incurred at any time exceed one and one-fourth percent
34 on the value of the taxable property therein.

35 (2)(a)(i) Public hospital districts are limited to an
36 indebtedness amount not exceeding three-fourths of one percent of the
37 value of the taxable property in such public hospital districts
38 without the assent of three-fifths of the voters therein voting at an
39 election held for that purpose.

1 (ii) Counties, cities, and towns are limited to an indebtedness
2 amount not exceeding one and one-half percent of the value of the
3 taxable property in such counties, cities, or towns without the
4 assent of three-fifths of the voters therein voting at an election
5 held for that purpose.

6 (b) In cases requiring such assent counties, cities, towns, and
7 public hospital districts are limited to a total indebtedness of two
8 and one-half percent of the value of the taxable property therein.
9 However, any county that has assumed the rights, powers, functions,
10 and obligations of a metropolitan municipal corporation under chapter
11 36.56 RCW may become indebted to a larger amount for its authorized
12 metropolitan functions, as provided under chapter 35.58 RCW, but not
13 exceeding an additional three-fourths of one percent of the value of
14 the taxable property in the county without the assent of three-fifths
15 of the voters therein voting at an election held for that purpose,
16 and in cases requiring such assent not exceeding an additional two
17 and one-half percent of the value of the taxable property in the
18 county.

19 (3) School districts are limited to an indebtedness amount not
20 exceeding three-eighths of one percent of the value of the taxable
21 property in such district without the assent of (~~three-fifths~~)
22 fifty-five percent of the voters therein voting at an election held
23 for that purpose. In cases requiring such assent school districts are
24 limited to a total indebtedness of two and one-half percent of the
25 value of the taxable property therein.

26 (4) No part of the indebtedness allowed in this chapter shall be
27 incurred for any purpose other than strictly county, city, town,
28 school district, township, port district, metropolitan park district,
29 or other municipal purposes: PROVIDED, That a city or town, with such
30 assent, may become indebted to a larger amount, but not exceeding two
31 and one-half percent additional, determined as herein provided, for
32 supplying such city or town with water, artificial light, and sewers,
33 when the works for supplying such water, light, and sewers shall be
34 owned and controlled by the city or town; and a city or town, with
35 such assent, may become indebted to a larger amount, but not
36 exceeding two and one-half percent additional for acquiring or
37 developing open space, park facilities, and capital facilities
38 associated with economic development: PROVIDED FURTHER, That any
39 school district may become indebted to a larger amount but not
40 exceeding two and one-half percent additional for capital outlays.

1 (5) Such indebtedness may be authorized in any total amount in
2 one or more propositions and the amount of such authorization may
3 exceed the amount of indebtedness which could then lawfully be
4 incurred. Such indebtedness may be incurred in one or more series of
5 bonds from time to time out of such authorization but at no time
6 shall the total general indebtedness of any taxing district exceed
7 the above limitation.

8 The term "value of the taxable property" as used in this section
9 shall have the meaning set forth in RCW 39.36.015.

10 NEW SECTION. **Sec. 6.** If any provision of this act or its
11 application to any person or circumstance is held invalid, the
12 remainder of the act or the application of the provision to other
13 persons or circumstances is not affected.

14 NEW SECTION. **Sec. 7.** This act takes effect if the proposed
15 amendment to Article VII, section 2 of the state Constitution
16 (S-3313/18) providing for approval by fifty-five percent of voters
17 voting to authorize school district bonds is validly submitted to and
18 is approved and ratified by the voters at the next general election
19 and certified by the secretary of state. If the proposed amendment is
20 not approved, ratified, and certified, this act is void in its
21 entirety.

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