
SENATE BILL 6502

State of Washington

61st Legislature

2010 Regular Session

By Senators Tom, McAuliffe, Oemig, Hobbs, Gordon, Pridemore, Shin, Rockefeller, Kline, and Ranker

Read first time 01/15/10. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to restoring the school district levy base;
2 amending RCW 84.52.0531; amending 2006 c 119 s 3 (uncodified); amending
3 2009 c 4 s 909 (uncodified); creating a new section; and providing an
4 expiration date.

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

6 NEW SECTION. **Sec. 1.** The legislature recognizes that since 2004,
7 school districts have been permitted to restore full funding for
8 Initiative 728 and Initiative 732 in the levy base. The intent of the
9 legislature is to extend the expiration date for this provision and
10 also to restore in the base funding received for staffing enhancements
11 in grades kindergarten through four.

12 **Sec. 2.** RCW 84.52.0531 and 2009 c 4 s 908 are each amended to read
13 as follows:

14 The maximum dollar amount which may be levied by or for any school
15 district for maintenance and operation support under the provisions of
16 RCW 84.52.053 shall be determined as follows:

17 (1) For excess levies for collection in calendar year 1997, the

1 maximum dollar amount shall be calculated pursuant to the laws and
2 rules in effect in November 1996.

3 (2) For excess levies for collection in calendar year 1998 and
4 thereafter, the maximum dollar amount shall be the sum of (a) plus or
5 minus (b) and (c) of this subsection minus (d) of this subsection:

6 (a) The district's levy base as defined in subsections (3) and (4)
7 of this section multiplied by the district's maximum levy percentage as
8 defined in subsection (5) of this section;

9 (b) For districts in a high/nonhigh relationship, the high school
10 district's maximum levy amount shall be reduced and the nonhigh school
11 district's maximum levy amount shall be increased by an amount equal to
12 the estimated amount of the nonhigh payment due to the high school
13 district under RCW 28A.545.030(3) and 28A.545.050 for the school year
14 commencing the year of the levy;

15 (c) For districts in an interdistrict cooperative agreement, the
16 nonresident school district's maximum levy amount shall be reduced and
17 the resident school district's maximum levy amount shall be increased
18 by an amount equal to the per pupil basic education allocation included
19 in the nonresident district's levy base under subsection (3) of this
20 section multiplied by:

21 (i) The number of full-time equivalent students served from the
22 resident district in the prior school year; multiplied by:

23 (ii) The serving district's maximum levy percentage determined
24 under subsection (5) of this section; increased by:

25 (iii) The percent increase per full-time equivalent student as
26 stated in the state basic education appropriation section of the
27 biennial budget between the prior school year and the current school
28 year divided by fifty-five percent;

29 (d) The district's maximum levy amount shall be reduced by the
30 maximum amount of state matching funds for which the district is
31 eligible under RCW 28A.500.010.

32 (3) For excess levies for collection in calendar year 2005 and
33 thereafter, a district's levy base shall be the sum of allocations in
34 (a) through (c) of this subsection received by the district for the
35 prior school year and the amounts determined under subsection (4) of
36 this section, including allocations for compensation increases, plus
37 the sum of such allocations multiplied by the percent increase per full
38 time equivalent student as stated in the state basic education

1 appropriation section of the biennial budget between the prior school
2 year and the current school year and divided by fifty-five percent. A
3 district's levy base shall not include local school district property
4 tax levies or other local revenues, or state and federal allocations
5 not identified in (a) through (c) of this subsection.

6 (a) The district's basic education allocation as determined
7 pursuant to RCW 28A.150.250, 28A.150.260, and 28A.150.350;

8 (b) State and federal categorical allocations for the following
9 programs:

10 (i) Pupil transportation;

11 (ii) Special education;

12 (iii) Education of highly capable students;

13 (iv) Compensatory education, including but not limited to learning
14 assistance, migrant education, Indian education, refugee programs, and
15 bilingual education;

16 (v) Food services; and

17 (vi) Statewide block grant programs; and

18 (c) Any other federal allocations for elementary and secondary
19 school programs, including direct grants, other than federal impact aid
20 funds and allocations in lieu of taxes.

21 (4)(a) For levy collections in calendar years 2005 through ~~((2011))~~
22 2017, in addition to the allocations included under subsection (3)(a)
23 through (c) of this section, a district's levy base shall also include
24 the following:

25 ~~((a))~~ (i) The difference between the allocation rate the district
26 would have received in the ~~((current))~~ prior school year ~~((had RCW
27 84.52.068 not been amended by chapter 19, Laws of 2003 1st sp. sess.))~~
28 using the Initiative 728 base and the allocation rate the district
29 received in the ~~((current))~~ prior school year pursuant to RCW
30 84.52.068~~((The office of the superintendent of public instruction
31 shall offset the amount added to a district's levy base pursuant to
32 this subsection (4)(a) by any additional per student allocations
33 included in a district's levy base pursuant to the enactment of an
34 initiative to the people subsequent to June 10, 2004))~~ multiplied by
35 the full-time equivalent student enrollment used to calculate the
36 Initiative 728 allocation for the prior school year; and

37 ~~((b))~~ (ii) The difference between the allocations the district
38 would have received the prior school year ~~((had RCW 28A.400.205 not~~

1 ~~been amended by chapter 20, Laws of 2003 1st sp. sess.)) using the~~
2 Initiative 732 base and the allocations the district actually received
3 the prior school year pursuant to RCW 28A.400.205(~~(. The office of the~~
4 ~~superintendent of public instruction shall offset the amount added to~~
5 ~~a district's levy base pursuant to this subsection (4)(b) by any~~
6 ~~additional salary increase allocations included in a district's levy~~
7 ~~base pursuant to the enactment of an initiative to the people~~
8 ~~subsequent to June 10, 2004)).~~

9 (b) For levy collections in calendar years 2011 through 2017, in
10 addition to the allocations included under subsections (3)(a) through
11 (c) and (4)(a) of this section, a district's levy base shall also
12 include the difference between an allocation of fifty-three and two-
13 tenths certificated instructional staff units per thousand full-time
14 equivalent students in grades kindergarten through four enrolled in the
15 prior school year and the allocation of certificated instructional
16 staff units per thousand full-time equivalent students in grades
17 kindergarten through four that the district actually received in the
18 prior school year, except that the levy base for a school district
19 whose allocation in the 2009-10 school year was less than fifty-three
20 and two-tenths certificated instructional staff units per thousand
21 full-time equivalent students in grades kindergarten through four shall
22 include the difference between the allocation the district actually
23 received in the 2009-10 school year and the allocation the district
24 actually received in the prior school year.

25 (5) A district's maximum levy percentage shall be twenty-two
26 percent in 1998 and twenty-four percent in 1999 and every year
27 thereafter; plus, for qualifying districts, the grandfathered
28 percentage determined as follows:

29 (a) For 1997, the difference between the district's 1993 maximum
30 levy percentage and twenty percent; and

31 (b) For 1998 and thereafter, the percentage calculated as follows:

32 (i) Multiply the grandfathered percentage for the prior year times
33 the district's levy base determined under subsection (3) of this
34 section;

35 (ii) Reduce the result of (b)(i) of this subsection by any levy
36 reduction funds as defined in subsection (6) of this section that are
37 to be allocated to the district for the current school year;

1 (iii) Divide the result of (b)(ii) of this subsection by the
2 district's levy base; and

3 (iv) Take the greater of zero or the percentage calculated in
4 (b)(iii) of this subsection.

5 (6) "Levy reduction funds" shall mean increases in state funds from
6 the prior school year for programs included under subsections (3) and
7 (4) of this section: (a) That are not attributable to enrollment
8 changes, compensation increases, or inflationary adjustments; and (b)
9 that are or were specifically identified as levy reduction funds in the
10 appropriations act. If levy reduction funds are dependent on formula
11 factors which would not be finalized until after the start of the
12 current school year, the superintendent of public instruction shall
13 estimate the total amount of levy reduction funds by using prior school
14 year data in place of current school year data. Levy reduction funds
15 shall not include moneys received by school districts from cities or
16 counties.

17 ~~((For the purposes of this section,))~~ The definitions in this
18 subsection apply throughout this section unless the context clearly
19 requires otherwise.

20 (a) "Prior school year" means the most recent school year completed
21 prior to the year in which the levies are to be collected.

22 ~~((+8) For the purposes of this section,))~~ (b) "Current school year"
23 means the year immediately following the prior school year.

24 ~~((+9))~~ (c) "Initiative 728 base" means the allocation to the
25 student achievement fund for the prior year that would have been made
26 under chapter 3, Laws of 2001, if all annual adjustments to the initial
27 2001 allocation had been made in previous years and in each subsequent
28 year as provided for under chapter 3, Laws of 2001.

29 (d) "Initiative 732 base" means the prior year's state allocation
30 for annual salary cost-of-living increases for district employees in
31 the state-funded salary base as it would have been calculated under
32 chapter 4, Laws of 2001, if each annual cost-of-living increase
33 allocation had been provided in previous years and in each subsequent
34 year.

35 (8) Funds collected from transportation vehicle fund tax levies
36 shall not be subject to the levy limitations in this section.

37 ~~((+10))~~ (9) The superintendent of public instruction shall develop

1 rules and regulations and inform school districts of the pertinent data
2 necessary to carry out the provisions of this section.

3 ~~((11))~~ (10) For calendar year 2009, the office of the
4 superintendent of public instruction shall recalculate school district
5 levy authority to reflect levy rates certified by school districts for
6 calendar year 2009.

7 **Sec. 3.** 2006 c 119 s 3 (uncodified) is amended to read as follows:
8 This act expires January 1, ~~((2012))~~ 2018.

9 **Sec. 4.** 2009 c 4 s 909 (uncodified) is amended to read as follows:
10 Section 908 of this act expires January 1, ~~((2012))~~ 2018.

11 NEW SECTION. **Sec. 5.** Section 2 of this act expires January 1,
12 2018.

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