



## Legislation Details (With Text)

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**File created:** 8/17/2009      **In control:** Regional Policy Committee

**On agenda:**      **Final action:** 2/1/2010

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**Title:** AN ORDINANCE making technical amendments concerning the use of the additional sales and use tax of one tenth of one percent for the delivery of mental health and chemical dependency services and therapeutic courts to be consistent with Chapter 551, Laws of Washington 2009, Section 2; making technical corrections; and amending Ordinance 15955, Section 2, as amended, and K.C.C. 4.08.318, Ordinance 15949, Section 4, as amended, and K.C.C. 4.33.020 and Ordinance 15949, Section 5, as amended, and K.C.C. 4.33.030.

**Sponsors:** Larry Gossett

**Indexes:** Mental Health, MIDD (Mental Illness and Drug Dependency)

**Code sections:** 4.08.318 -, 4.33.020 -, 4.33.030 -

**Attachments:** 1. Staff Report 08-18-09

Date	Ver.	Action By	Action	Result
8/18/2009	1	Budget and Fiscal Management Committee	Deferred	
8/17/2009	1	Metropolitan King County Council	Introduced and Referred	

Clerk 08/17/2009

AN ORDINANCE making technical amendments concerning the use of the additional sales and use tax of one tenth of one percent for the delivery of mental health and chemical dependency services and therapeutic courts to be consistent with Chapter 551, Laws of Washington 2009, Section 2; making technical corrections; and amending Ordinance 15955, Section 2, as amended, and K.C.C. 4.08.318, Ordinance 15949, Section 4, as amended, and K.C.C. 4.33.020 and Ordinance 15949, Section 5, as amended, and K.C.C. 4.33.030.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 15955, Section 2, as amended, and K.C.C. 4.08.318 are each hereby amended

to read as follows:

A. There is hereby created the mental illness and drug dependency fund, classified as a special revenue fund, for the purpose of accounting for the proceeds of an additional one-tenth of one percent sales tax imposed by King County for collection beginning in 2008.

B.~~((1.))~~ In accordance with ~~((the ordinance imposing the mental illness and drug dependency tax))~~ K.C.C. chapter 4.33, the proceeds of the sales tax will be placed in one fund designated and shall be used solely for the purpose of providing new or expanded chemical dependency or mental health treatment services and for the operation of new or expanded therapeutic court programs and shall not be used to supplant existing funding for these purposes, except as authorized in RCW 82.14.460(4), as it exists on the effective date of this ordinance.

~~((2.a. In order to reserve funds for new strategies not currently specified in the implementation plan, a new strategy reserve is hereby created in the mental illness and drug dependency fund. The purpose of this reserve is to fund new strategies and programs that meet the county's policy goals established in K.C.C. 4.33.010.~~

~~b. Mental illness and drug dependency programs or strategies that are funded from the new strategy reserve shall receive funding from the reserve for two full years. No project or strategy funded from the new strategy reserve shall utilize more than twenty percent of the total annual new strategy reserve amount. The annual new strategy reserve amount is based on the later of either the annual mental illness and drug dependency fund financial plan as transmitted by the executive with the proposed annual county budget or as amended by ordinance. The two-year period for funding new strategies from the new strategy reserve shall commence when the ordinance approving the new strategy is enacted. During the two-year period of funding from the new strategy reserve, these programs and strategies shall be reviewed as part of the annual mental illness and drug dependency evaluation cycles. After the initial two-year period, the new strategies and programs shall be subject to expansion, revision or elimination.~~

~~e. The new strategy reserve shall be limited to five million dollars.~~

~~d. The new strategy reserve shall be initially funded:~~

~~(1) in 2008 by:~~

~~(A) allocating one million eight hundred thousand dollars of the mental illness and drug dependency fund's revenue stabilization reserve to the new strategy reserve; and~~

~~(B) allocating seven hundred thousand dollars of the mental illness and drug dependency fund's 2008 revenue; and~~

~~(2) in 2009 by allocating up to two million seven hundred thousand dollars of the mental illness and drug dependency fund's 2008 ending undesignated fund balance to the new strategy reserve at the end of the 2008 fiscal year.~~

~~e. In 2010 and thereafter, the new strategy reserve will be replenished each year by allocating up to one half of the mental illness and drug dependency fund's previous ending year's undesignated fund balance less the target fund balance to the reserve until the five million dollar limit is reached.))~~

C. The department of community and human services shall be the fund manager for the mental illness and drug dependency fund.

D. For investment purposes, the mental illness and drug dependency fund shall be considered a first tier fund.

SECTION 2. Ordinance 15949, Section 4, as amended, and K.C.C. 4.33.020 are each hereby amended to read as follows:

A. For the purpose of providing funding for the operation or delivery of ~~((new or expanded))~~ mental health and chemical dependency programs and services, and ~~((new or expanded))~~ therapeutic courts programs and services as authorized RCW 82.14.460, as it exists on the effective date of this ordinance, an additional sales and use tax of one-tenth of one percent is hereby levied, fixed and imposed on all taxable events within King County as defined in chapter 82.08, 82.12 or 82.14 RCW, except as provided in subsection B. of this section. For the purposes of this section, "programs and services" includes, but is not limited to, treatment

services, case management, and housing that are a component of a coordinated chemical dependency or mental health treatment program or service. The tax shall be imposed upon and collected from those persons from whom sales tax or use tax is collected in accordance with chapter 82.08 or 82.14 RCW, and shall be so collected at the rate of one-tenth of one percent of the selling price, in the case of a sales tax, or value of the article used, in the case of a use tax. This additional sales and use tax shall be in addition to all other existing sales and use taxes currently imposed by the county.

B. If, as a result of the imposition of the additional sales and use tax authorized in subsection A. of this section, the county imposes an additional sales and use tax upon sales of lodging in excess of the limits contained in RCW 82.14.410, the sales shall be exempt from the imposition of that additional sales and use tax.

SECTION 3. Ordinance 15949, Section 5, as amended, and K.C.C. 4.33.030 are each hereby amended to read as follows:

A. The moneys collected under K.C.C. 4.33.020 shall be used solely for the purpose of providing for the operation or delivery of new or expanded chemical dependency or mental health treatment programs and services and for the operation or delivery of new or expanded therapeutic court programs and services, except a portion of the proceeds may be spent as authorized by RCW 82.14.460(4), as it exists on the effective date of this ordinance, and subsection B of this ordinance. For the purposes of this section, "programs and services" includes, but is not limited to, treatment services, case management, and housing that are a component of a coordinated chemical dependency or mental health treatment program or service.

B. The proceeds of the tax authorized and imposed K.C.C. 4.33.020 may not be used to supplant existing funding for these purposes, except as authorized by RCW 82.14.460(4), as it exists on the effective date of this ordinance, ((provided that)) though nothing in this section shall be interpreted to prohibit the use of moneys collected under this section for the replacement of lapsed federal funding previously provided for the operation or delivery of services and programs as provided in this section.

C. For the purposes of this section, "proceeds" means the moneys raised by the

additional sales and use tax authorized by this chapter and any interest thereon.

SECTION 4. Sections 2 and 3 of this ordinance expire January 1, 2017.