



CO00045617

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 12-097

RELATING TO THE SALES AND USE TAX FOR CHEMICAL DEPENDENCY OR MENTAL
HEALTH TREATMENT AND THERAPEUTIC COURT PROGRAMS
AND SERVICES; AMENDING SCC 4.25.050

WHEREAS, the Snohomish County Council adopted Amended Ordinance No. 08-154 on December 3, 2008, authorizing a sales and use tax to provide for operation or delivery of chemical dependency or mental health treatment and therapeutic court programs and services, pursuant to RCW 82.14.460; and

WHEREAS, when that ordinance was adopted RCW 82.14.460 expressly stated that moneys collected must be used solely for the purpose of providing new or expanded program and services and could not be used to supplant existing funding, other than certain lapsed federal funding; and

WHEREAS, in the year prior to implementation of this sales and use tax, the Snohomish County therapeutic court programs received support from the General Fund in the amount of \$500,900; and

WHEREAS, due to economic reasons and projected state revenues, the Washington State Legislature made significant funding cuts to chemical dependency and mental health services; and

WHEREAS, the Legislature passed Second Substitute Senate Bill 5433 during its 2009 regular session, which amended RCW 82.14.460 to allow any county to supplant existing funding up to fifty percent in calendar year 2010, up to forty percent in calendar year 2011, up to thirty percent in calendar year 2012, up to twenty percent in calendar year 2013, and up to ten percent in calendar year 2014; and

WHEREAS, the Legislature passed Substitute Senate Bill 5722 during its 2011 regular session, which further amended RCW 82.14.460 to allow any county with a population larger than twenty-five thousand to supplant existing funding up to fifty percent in calendar years 2011-2012, up to forty percent in calendar year 2013, up to thirty percent in calendar year 2014, up to twenty percent in calendar year 2015, and up to ten percent in calendar year 2016; and

WHEREAS, the impetus for amending RCW 82.14.460 was to allow counties to use chemical dependency and mental health sales and use tax revenues to backfill reductions in state funding of chemical dependency and mental health services; and

WHEREAS, the County Council has made decisions through the appropriation process regarding potential supplanting of existing funding with chemical dependency and mental health sales tax revenues as allowed by state law; and

1 WHEREAS, the County Council wishes to clearly communicate its future policy
2 regarding supplanting; and

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4 WHEREAS, in order to codify that policy, Chapter 4.25 SCC should be amended as
5 provided herein;

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7 NOW, THEREFORE, BE IT ORDAINED:

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9 Section 1. Snohomish County Code Section 4.25.050, adopted by Amended
10 Ordinance No. 09-073 on August 12, 2009, is amended to read:

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12 **4.25.050 Use of Fund.**

13 (1) The resources of the chemical dependency/mental health program fund shall be
14 used solely for the purpose of providing for the operation or delivery of chemical dependency or
15 mental health treatment programs and services and for the operation or delivery of therapeutic
16 court programs and services as allowed by state law, except as follows((-):

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18 (a) A portion of the revenue provided to the chemical dependency/mental health
19 program fund by moneys collected under the tax imposed by SCC 4.25.010 may be used to
20 supplant the costs of providing for the operation or delivery of chemical dependency or mental
21 health treatment programs and services previously funded by the county general fund as
22 follows, notwithstanding any authorization for a higher amount of supplanting under state law:

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24 (i) in 2013, no more than 30% of the total collected in 2013;

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26 (ii) in 2014, no more than 25% of the total collected in 2014;

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28 (iii) in 2015, no more than 15% of the total collected in 2015;

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30 (iv) in 2016, no more than 5% of the total collected in 2016; and

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32 (v) in 2017 and thereafter, no supplanting shall be permitted. Thus,
33 should any of the moneys collected under the tax imposed by SCC 4.25.010 be used for
34 the operation or delivery of therapeutic court programs or services in 2017 or thereafter,
35 such funding must be in addition to at least \$500,900 from other sources.

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37 (b) For the purposes of this section, "programs and services" includes, but is not
38 limited to, treatment services, case management, and housing that are a component of a
39 coordinated chemical dependency or mental health treatment program or service.

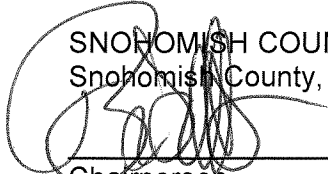
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41 (c) for the purposes of this section "chemical dependency or mental health
42 treatment programs and services" excludes therapeutic courts for the years 2013 through 2016.

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44 (2) Contracts and contract amendments with private sector providers of home care
45 services, chemical dependency or mental health treatment services, or therapeutic court
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1 services, that are approved by the county executive under this section must be awarded in a
2 manner consistent with contracting policies adopted under SCC 2.400.067, if applicable.

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4 PASSED this 19th day of November, 2012.

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6 SNOHOMISH COUNTY COUNCIL
7 Snohomish County, Washington

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9 
10 Chairperson

11 ATTEST:

12
13 Sheila McCallister
14 Asst. Clerk of the Council

15
16 () APPROVED

17
18 () EMERGENCY

19
20 () VETOED

21 DATE: 11/30/12

22
23 
24 County Executive

25 ATTEST:

26
27 Cora E. Palmer 11/30/12

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29 Approved as to form only:

30
31 Sped W. S. 10/26/12
32 Deputy Prosecuting Attorney

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