

1 APPROVED: August 12, 2009
2 EFFECTIVE: August 31, 2009

3
4 SNOHOMISH COUNTY COUNCIL
5 Snohomish County, Washington

6
7 ORDINANCE NO. 09-073

8
9 RELATING TO THE SALES AND USE TAX FOR CHEMICAL DEPENDENCY OR MENTAL
10 HEALTH TREATMENT AND THERAPEUTIC COURT PROGRAMS
11 AND SERVICES, PROVIDING FOR USES ALLOWED BY STATE LAW, AND AMENDING SCC
12 4.25.050
13

14 WHEREAS, the Snohomish County Council adopted Amended Ordinance No. 08-154
15 on December 3, 2008, authorizing a sales and use tax to provide for operation or delivery of
16 chemical dependency or mental health treatment and therapeutic court programs and services,
17 pursuant to RCW 82.14.460; and
18

19 WHEREAS, when that ordinance was adopted RCW 82.14.460 expressly stated that
20 moneys collected must be used solely for the purpose of providing new or expanded program
21 and services and could not be used to supplant existing funding, other than certain lapsed
22 federal funding; and
23

24 WHEREAS, due to the current economy and projected state revenues, the Washington
25 State Legislature made significant funding cuts to chemical dependency and mental health
26 services; and
27

28 WHEREAS, the Legislature passed Second Substitute Senate Bill 5433 during its 2009
29 regular session, which amended RCW 82.14.460 to allow any county to supplant existing
30 funding up to fifty percent in calendar year 2010, up to forty percent in calendar year 2011, up to
31 thirty percent in calendar year 2012, up to twenty percent in calendar year 2013, and up to ten
32 percent in calendar year 2014; and
33

34 WHEREAS, the impetus for amending RCW 82.14.460 was to allow counties to use
35 chemical dependency and mental health sales and use tax revenues to backfill reductions in
36 state funding of chemical dependency and mental health services; and
37

38 WHEREAS, the County Council will make decisions through the appropriation process
39 regarding potential supplanting of existing funding with chemical dependency and mental health
40 sales tax revenues as allowed by state law; and
41

42 WHEREAS, to maintain consistency with state law, Chapter 4.25 SCC should be
43 amended as provided herein;
44

45 NOW, THEREFORE, BE IT ORDAINED:

46
47 Section 1. Snohomish County Code Section 4.25.050, adopted by Amended
48 Ordinance No. 08-154 on December 3, 2008, is amended to read:
49

ORDINANCE NO. 09-073
RELATING TO THE SALES AND USE TAX FOR CHEMICAL DEPENDENCY
OR MENTAL HEALTH TREATMENT AND THERAPEUTIC COURT PROGRAMS
AND SERVICES, PROVIDING FOR USES ALLOWED BY STATE LAW, ETC. - 1

1 **4.25.050 Use of Fund.**

2 ((1)) The resources of the chemical dependency/mental health program
3 fund shall be used solely for the purpose of providing for the operation or delivery
4 of ((new or expanded)) chemical dependency or mental health treatment
5 programs and services and for the operation or delivery of ((new or expanded))
6 therapeutic court programs and services as allowed by state law. For the
7 purposes of this section, "programs and services" includes, but is not limited to,
8 treatment services, case management, and housing that are a component of a
9 coordinated chemical dependency or mental health treatment program or
10 service.

11 ~~((2) The resources of the fund shall not be used to supplant existing
12 funding for these purposes, provided that nothing in this section shall be
13 interpreted to prohibit the use of such resources for the replacement of lapsed
14 federal funding previously provided for the operation or delivery of programs and
15 services as provided in RCW 82.14.460.))~~

16
17 PASSED this 12th day of August, 2009.

18
19 SNOHOMISH COUNTY COUNCIL
20 Snohomish County, Washington

21
22 /s/ Mike Cooper
23 Chairperson

24 ATTEST:

25
26 /s/ Barbara Sikorski
27 Asst. Clerk of the Council

28
29 (X) APPROVED

30
31 () EMERGENCY

32
33 () VETOED

34
35
36 DATE: 8/21/09

37
38 /s/ Mark Soine
39 Deputy Executive for County Executive

40 ATTEST:

41
42 /s/ Cora E. Palmer

43 Approved as to form only:

44
45 /s/ Rick Robertson
Deputy Prosecuting Attorney