

CHAPTER 140.

[H. B. 260.]

REPAYMENT TO PROPERTY OWNERS OF SURPLUS IN LOCAL IMPROVEMENT FUND.

AN ACT relating to the refunding of excessive amounts levied to pay for local improvements, and amending section 7892 of Remington & Ballinger's Code.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 7892 of Remington & Ballinger's Code, be amended to read as follows:

Section 7892. Any funds in the treasury of any municipal corporation belonging to the fund of any local improvement district after the payment of the whole cost and expense of such improvement, in excess of the total sum required to defray all the expenditures by such municipal corporation on account thereof, shall be refunded, on demand, to the payers into such fund. Each such payer shall be entitled to such proportion of such excess as his original assessment bears to the entire original assessment levied for such improvement. Such municipal corporation may, after one year from the date on which the last installment becomes due, transfer any balance remaining on hand to the general fund of such municipal corporation, but shall, notwithstanding such transfer remain liable for the refund herein provided for until such refund shall have been made, unless the actual cost involved in making such refund shall exceed the excess in such fund.

Excess payments may be repaid on demand.

Right of action to recover.

Such demand shall be made in writing to the treasurer of such municipal corporation. No action shall be commenced in any court to obtain any such refund, except upon such demand, and, in all cases where the assessment roll shall have been filed with the treasurer of such municipal corporation for collection on or after the day this act shall take effect, until ninety days after making such demand, and in all cases where such assessment roll has heretofore been filed for collection, until six months after

making such demand in accordance herewith. No excess shall be recovered in any action where the excess in the fund does not average the sum of one dollar in favor of all payers into such fund.

Provided, further, That this section shall not be deemed to require the refunding of any balance left in any local improvement fund after the payment of all outstanding obligations issued against such fund, where such balance accrues from any saving in interest or from penalties collected upon delinquent assessments, but any such balance, whether accruing heretofore or hereafter, may be turned into the general fund or otherwise disposed of, as the legislative authority of such city may direct.

No refund of balances arising from interest savings and penalties.

Passed the House February 24, 1917.

Passed the Senate March 6, 1917.

Approved by the Governor March 15, 1917.

CHAPTER 141.

[H. B. 363.]

LIMITING COUNTY AND CITY EXPENDITURES IN EXCESS OF REVENUES.

AN ACT relating to the financial affairs of counties, and such cities as have a population of less than one hundred and four thousand, according to the federal census, limiting the expenditure of the revenues of the same, prescribing penalties for the violation thereof, and amending section 9211 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 9211 of Rem. & Bal. Code be and the same is hereby amended to read as follows:

Section 9211. It shall be unlawful for the county commissioners, or any city council or city commission, or any public officer or employee of a county or city, to contract indebtedness or incur any liability in behalf of his or their county or city during any current fiscal year more than two per centum in excess of the revenues pro-

Limitation on incurrence of county and city indebtedness.