
SUBSTITUTE SENATE BILL 5042

State of Washington

53rd Legislature

1993 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senators Haugen and Winsley)

Read first time 02/15/93.

1 AN ACT Relating to authorized uses of the excise tax on the sale of
2 real property; amending RCW 82.46.010; and creating a new section.

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

4 **Sec. 1.** RCW 82.46.010 and 1992 c 221 s 1 are each amended to read
5 as follows:

6 (1) The legislative authority of any county or city shall identify
7 in the adopted budget the capital projects funded in whole or in part
8 from the proceeds of the tax authorized in this section, and shall
9 indicate that such tax is intended to be in addition to other funds
10 that may be reasonably available for such capital projects.

11 (2) The legislative authority of any county or any city may impose
12 an excise tax on each sale of real property in the unincorporated areas
13 of the county for the county tax and in the corporate limits of the
14 city for the city tax at a rate not exceeding one-quarter of one
15 percent of the selling price. The revenues from this tax shall be used
16 by the respective jurisdictions for local capital improvements,
17 including those listed in RCW 35.43.040, except that any city or county
18 with a population of under six thousand may expend such revenues for
19 any capital purpose identified in a capital improvements plan.

1 After April 30, 1992, revenues generated from the tax imposed under
2 this subsection in counties over five thousand population and cities
3 over five thousand population that are required or choose to plan under
4 RCW 36.70A.040 shall be used solely for financing capital projects
5 specified in a capital facilities plan element of a comprehensive plan
6 and housing relocation assistance under RCW 59.18.440 and 59.18.450.
7 However, revenues (a) pledged by such counties and cities to debt
8 retirement prior to April 30, 1992, may continue to be used for that
9 purpose until the original debt for which the revenues were pledged is
10 retired, or (b) committed prior to April 30, 1992, by such counties or
11 cities to a project may continue to be used for that purpose until the
12 project is completed.

13 (3) In lieu of imposing the tax authorized in RCW 82.14.030(2), the
14 legislative authority of any county or any city may impose an
15 additional excise tax on each sale of real property in the
16 unincorporated areas of the county for the county tax and in the
17 corporate limits of the city for the city tax at a rate not exceeding
18 one-half of one percent of the selling price.

19 (4) Taxes imposed under this section shall be collected from
20 persons who are taxable by the state under chapter 82.45 RCW upon the
21 occurrence of any taxable event within the unincorporated areas of the
22 county or within the corporate limits of the city, as the case may be.

23 (5) Taxes imposed under this section shall comply with all
24 applicable rules, regulations, laws, and court decisions regarding real
25 estate excise taxes as imposed by the state under chapter 82.45 RCW.

26 (6) As used in this section, "city" means any city or town and
27 "capital project" means those public works projects of a local
28 government for planning, acquisition, construction, reconstruction,
29 repair, replacement, rehabilitation, or improvement of streets; roads;
30 highways; sidewalks; street and road lighting systems; traffic signals;
31 bridges; domestic water systems; storm and sanitary sewer systems;
32 parks; recreational facilities; law enforcement facilities; fire
33 protection facilities; trails; libraries; administrative and/or
34 judicial facilities; river and/or waterway flood control projects by
35 those jurisdictions that, prior to June 11, 1992, have expended funds
36 derived from the tax authorized by this section for such purposes; and,
37 until December 31, 1995, housing projects for those jurisdictions that,
38 prior to June 11, 1992, have expended or committed to expend funds

1 derived from the tax authorized by this section or the tax authorized
2 by RCW 82.46.035 for such purposes.

3 NEW SECTION. **Sec. 2.** The legislature declares that, in section
4 13, chapter 49, Laws of 1982 1st ex. sess., effective July 1, 1982, its
5 original intent in limiting the use of the proceeds of the tax
6 authorized in RCW 82.46.010(2) to "local capital improvements" was to
7 include in such expenditures the acquisition of real and personal
8 property associated with such local capital improvements. Any such
9 expenditures made by cities, towns, and counties on or after July 1,
10 1982, are hereby declared to be authorized and valid.

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