
HOUSE BILL 1886

State of Washington

54th Legislature

1995 Regular Session

By Representatives Mason, Kessler, Campbell, Benton, Morris, Dickerson, Boldt, D. Schmidt, Chopp, Wolfe, Ogden, Conway, Tokuda, Regala, Hatfield, Costa, Veloria, Appelwick, Delvin, Cooke, Romero and Elliot

Read first time 02/13/95. Referred to Committee on Finance.

1 AN ACT Relating to tax exemptions for feminine hygiene and health
2 products; amending RCW 82.08.0281 and 82.12.0275; providing an
3 effective date; and declaring an emergency.

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

5 **Sec. 1.** RCW 82.08.0281 and 1993 sp.s. c 25 s 308 are each amended
6 to read as follows:

7 The tax levied by RCW 82.08.020 shall not apply to:

8 (1) Sales of prescription drugs, including sales to the state or a
9 political subdivision or municipal corporation thereof of drugs to be
10 dispensed to patients by prescription without charge. The term
11 "prescription drugs" shall include any medicine, drug, prescription
12 lens, or other substance other than food for use in the diagnosis,
13 cure, mitigation, treatment, or prevention of disease or other ailment
14 in humans(~~(, or for use for family planning purposes, including the~~
15 ~~prevention of conception)), supplied:~~

16 ~~((1) By a family planning clinic that is under contract with the~~
17 ~~department of health to provide family planning services; or~~

1 ~~(2))~~ (a) Under the written prescription to a pharmacist by a
2 practitioner authorized by law of this state or laws of another
3 jurisdiction to issue prescriptions; or

4 ~~((3))~~ (b) Upon an oral prescription of such practitioner which is
5 reduced promptly to writing and filed by a duly licensed pharmacist; or

6 ~~((4))~~ (c) By refilling any such written or oral prescription if
7 such refilling is authorized by the prescriber either in the original
8 prescription or by oral order which is reduced promptly to writing and
9 filed by the pharmacist; or

10 ~~((5))~~ (d) By physicians or optometrists by way of written
11 directions and specifications for the preparation, grinding, and
12 fabrication of lenses intended to aid or correct visual defects or
13 anomalies of humans;

14 (2) Sales, with or without a prescription, of drugs, products,
15 substances, or devices used for family planning purposes, including the
16 prevention of conception;

17 (3) Sales of products, substances, or devices used for feminine
18 hygiene including, but not limited to, sanitary napkins.

19 **Sec. 2.** RCW 82.12.0275 and 1993 sp.s. c 25 s 309 are each amended
20 to read as follows:

21 The provisions of this chapter shall not apply in respect to:

22 (1) The use of prescription drugs, including the use by the state
23 or a political subdivision or municipal corporation thereof of drugs to
24 be dispensed to patients by prescription without charge. The term
25 "prescription drugs" shall include any medicine, drug, prescription
26 lens, or other substance other than food for use in the diagnosis,
27 cure, mitigation, treatment, or prevention of disease or other ailment
28 in humans(~~(, or for use for family planning purposes, including the~~
29 prevention of conception)), supplied:

30 ~~((1) By a family planning clinic that is under contract with the~~
31 ~~department of health to provide family planning services; or~~

32 ~~(2))~~ (a) Under the written prescription to a pharmacist by a
33 practitioner authorized by law of this state or laws of another
34 jurisdiction to issue prescriptions; or

35 ~~((3))~~ (b) Upon an oral prescription of such practitioner which is
36 reduced promptly to writing and filed by a duly licensed pharmacist; or

37 ~~((4))~~ (c) By refilling any such written or oral prescription if
38 such refilling is authorized by the prescriber either in the original

1 prescription or by oral order which is reduced promptly to writing and
2 filed by the pharmacist; or

3 ~~((5))~~ (d) By physicians or optometrists by way of written
4 directions and specifications for the preparation, grinding, and
5 fabrication of lenses intended to aid or correct visual defects or
6 anomalies of humans;

7 (2) The use, with or without a prescription, of drugs, products,
8 substances, or devices for family planning purposes, including the
9 prevention of conception;

10 (3) The use of products, substances, or devices for feminine
11 hygiene including, but not limited to, sanitary napkins.

12 NEW SECTION. Sec. 3. This act is necessary for the immediate
13 preservation of the public peace, health, or safety, or support of the
14 state government and its existing public institutions, and shall take
15 effect July 1, 1995.

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