

FINAL BILL REPORT

SHB 1316

C 245 L 91
Synopsis As Enacted

Brief Description: Changing provisions relating to county treasurers.

By House Committee on Local Government (originally sponsored by Representatives Fraser, Brumsickle, Haugen, Basich, Wang, Ferguson, Edmondson, Sheldon, Cooper, Bowman, Nealey, Riley, Wood, Zellinsky, Mitchell, H. Myers, Jones and Paris).

House Committee on Local Government
Senate Committee on Governmental Operations

Background: County treasurers are the custodians of all the moneys belonging to the county and the State until they are disbursed according to law. Treasurers may be authorized by any municipal corporation to invest any funds which are not required for immediate expenditure.

County treasurers act as the collector of all taxes upon real and personal property, and also collect assessments and charges for special districts. The treasurers are responsible for notifying each taxpayer of the amount of taxes owed on the taxpayer's property. On the first day of each month the county treasurer is required to distribute to each of the taxing districts the pro rata amount of money collected as consolidated tax payments during the previous month.

Delinquent property taxes are subject to interest and penalties at the rate of 12 percent per year, but delinquent weed district payments by state and local governments are only subject to 6 percent per year interest.

Summary: The statutes governing county treasurers are revised.

The 6 percent interest provision for delinquent weed district payments is deleted so that delinquent weed district payments are subject to the delinquent property tax interest and penalty rate of 12 percent per year. The state auditor is no longer required to certify the assessments that a state agency must pay to weed districts.

Auctions of county surplus property no longer are required to be held on county property. The county legislative authority must designate where the auctions will be held.

The county treasurer's monthly report to the school superintendent no longer has to be certified by the county auditor. The requirement for a yearly report is eliminated. School district obligations no longer must be paid by warrant.

The treasurer's duty to issue a receipt for all money received other than taxes is amended. The treasurer is no longer required to file the duplicate receipt with the county auditor, but instead keeps the duplicate. The date of redemption of warrants may be the day the financial institution processes the check.

The treasurer may grant an exception on the daily deposit of money where it is not administratively practical or feasible.

The fee schedule for reimbursing the county treasurer for collecting, handling, disbursing, and accounting for special assessments, fees, rates or charges is changed from a variable rate to a fee that may not exceed \$4 per parcel for each year the funds are collected.

The treasurer is no longer required to furnish the county legislative authority with an estimate of the amount of assessments to be collected from land that will be acquired from the county in the ensuing year.

The county finance committee, consisting of the county treasurer, auditor, and the chair of the county commissioners, is directed to approve county investment policy.

Excess funds may be transferred from the county local improvement guaranty fund to the general fund. The net cash of the local improvement guaranty fund must be at least 5 percent of the net outstanding obligations of the fund.

A person filing a condominium plan is no longer required to make a deposit of advance taxes.

The county treasurer is directed to collect a \$2 fee for filing transactions under the real estate excise tax that do not require payment of a tax.

When the total amount of a special assessment is less than \$30, the entire amount must be paid in full.

The treasurers are directed to record the payment of all taxes in the treasurer's records by parcel.

It is unlawful to remove personal property from the county in which the property was assessed until all taxes have been paid.

The county auditor is no longer required to make quarterly settlements with the county treasurer.

If a county treasurer issues a certificate of delinquency on property for overdue taxes, interest, and costs, the certificate is prima facie evidence that: the property described was subject to tax at the time it was assessed, it was assessed as required by law, and the taxes or assessments were not paid at any time before the issuance of the certificate. The prosecuting attorney is directed to assist with the filing of certificates of delinquency with the court.

The minimum acceptable bid at a foreclosure sale is the total amount of taxes, interest, penalties, and costs. An appeal may be filed in superior court to review a foreclosure sale if a deposit is made with the clerk of the court in an amount equal to all taxes, interest, penalties, and costs. Any excess proceeds from the foreclosure sale must be applied to unpaid water and sewer district liens.

No property tax refunds may be made if the property has been sold in a manner that would prevent the assessment and collection of taxes from the property. Any refunds on delinquent taxes must include the proportionate share of interest and penalties paid. Property tax refunds may be applied to the subsequent year's tax.

Treasurers are no longer required to: redeem warrants in the order of their issuance, make a quarterly settlement with the county commissioners, make a certified return at the end of each month with the city treasurer, or adhere to certain procedures concerning certificates of delinquency.

The Department of Revenue is no longer required to compile and distribute copies of state laws to county officials.

Other technical changes are made to delete redundant, obsolete, or confusing language.

Votes on Final Passage:

House	95	0	
Senate	45	0	(Senate amended)
House	94	0	(House concurred)

Effective: July 28, 1991