

SENATE BILL 5005

State of Washington

52nd Legislature

1991 Regular Session

By Senators L. Kreidler, Moore, Conner, Gaspard, Bauer and Snyder.

Read first time January 14, 1991. Referred to Committee on Ways & Means.

1 AN ACT Relating to senior citizen real property tax exemption;
2 amending RCW 84.36.381; and creating a new section.

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

4 **Sec. 1.** RCW 84.36.381 and 1987 c 301 s 1 are each amended to read
5 as follows:

6 A person shall be exempt from any legal obligation to pay all or a
7 portion of the amount of excess and regular real property taxes due and
8 payable in the year following the year in which a claim is filed, and
9 thereafter, in accordance with the following:

10 (1) The property taxes must have been imposed upon a residence
11 which was occupied by the person claiming the exemption as a principal
12 place of residence as of January 1st of the year for which the
13 exemption is claimed: PROVIDED, That any person who sells, transfers,
14 or is displaced from his or her residence may transfer his or her
15 exemption status to a replacement residence, but no claimant shall

1 receive an exemption on more than one residence in any year: PROVIDED
2 FURTHER, That confinement of the person to a hospital or nursing home
3 shall not disqualify the claim of exemption if the residence is
4 temporarily unoccupied or if the residence is occupied by a spouse
5 and/or a person financially dependent on the claimant for support;

6 (2) The person claiming the exemption must have owned, at the time
7 of filing, in fee, as a life estate, or by contract purchase, the
8 residence on which the property taxes have been imposed or if the
9 person claiming the exemption lives in a cooperative housing
10 association, corporation, or partnership, such person must own a share
11 therein representing the unit or portion of the structure in which he
12 or she resides. For purposes of this subsection, a residence owned by
13 a marital community or owned by cotenants shall be deemed to be owned
14 by each spouse or cotenant, and any lease for life shall be deemed a
15 life estate;

16 (3) The person claiming the exemption must (~~have been~~) be
17 sixty-one years of age or older on (~~January 1st~~) December 31st of the
18 year in which the exemption claim is filed, or must have been, at the
19 time of filing, retired from regular gainful employment by reason of
20 physical disability: PROVIDED, That any surviving spouse of a person
21 who was receiving an exemption at the time of the person's death shall
22 qualify if the surviving spouse is fifty-seven years of age or older
23 and otherwise meets the requirements of this section;

24 (4) The amount that the person shall be exempt from an obligation
25 to pay shall be calculated on the basis of combined disposable income,
26 as defined in RCW 84.36.383. If the person claiming the exemption was
27 retired for two months or more of the preceding year, the combined
28 disposable income of such person shall be calculated by multiplying the
29 average monthly combined disposable income of such person during the
30 months such person was retired by twelve.

1 (5) (a) A person who otherwise qualifies under this section and has
2 a combined disposable income of eighteen thousand dollars or less shall
3 be exempt from all excess property taxes; and

4 (b) (i) A person who otherwise qualifies under this section and has
5 a combined disposable income of fourteen thousand dollars or less but
6 greater than twelve thousand dollars shall be exempt from all regular
7 property taxes on the greater of twenty-four thousand dollars or thirty
8 percent of the valuation of his or her residence, but not to exceed
9 forty thousand dollars of the valuation of his or her residence; or

10 (ii) A person who otherwise qualifies under this section and has a
11 combined disposable income of twelve thousand dollars or less shall be
12 exempt from all regular property taxes on the greater of twenty-eight
13 thousand dollars or fifty percent of the valuation of his or her
14 residence.

15 NEW SECTION. **Sec. 2.** This act is effective for taxes levied
16 for collection in 1992 and thereafter.