

HOUSE BILL REPORT

HB 2479

As Reported By House Committee On:
Revenue

Title: An act relating to general technical corrections of excise and property tax statutes.

Brief Description: Making technical corrections of excise and property tax statutes.

Sponsors: Representatives G. Fisher, Foreman, Karahalios and Springer; by request of Department of Revenue.

Brief History:

Reported by House Committee on:
Revenue, January 28, 1994, DPS.

HOUSE COMMITTEE ON REVENUE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives G. Fisher, Chair; Holm, Vice Chair; Foreman, Ranking Minority Member; Fuhrman, Assistant Ranking Minority Member; Anderson; Brown; Caver; Cothorn; Leonard; Romero; Rust; Silver; Talcott; Thibaudeau; Van Luven; and Wang.

Staff: Bob Longman (786-7139).

Background: Many statutes contain outdated provisions. Many statutes do not use gender-neutral terms. Many statutes could be improved by correcting technical deficiencies.

Summary of Substitute Bill: The bill corrects out of date language in several tax statutes. For example, "board of county commissioners" is replaced by "county legislative authority", and "State Board of Equalization" is replaced by "Department of Revenue". The bill changes gender-specific references to gender-neutral terms. For example, "he" is replaced by "the assessor" in several sections. The bill also: repeals an internal distributions tax exemption that was held invalid in a court decision; clarifies that only "bona fide" dues and contributions are exempt from B&O tax; clarifies that the use tax exemption for natural or manufactured gas applies only to gas subject to the special use tax on brokered natural gas; deletes meaningless words

from the public utility tax deduction for electricity sold outside of this state; eliminates the definitions of water, heating and toll bridge companies from the list of utilities that are centrally assessed, because there are no longer any centrally assessed utilities of these types; changes the date by which a utility or private car company may request a hearing on its tax assessment and the date on which this hearing may be held (in this way a utility or private car company is given more time to appeal its tax assessment); clarifies that the real and personal property of cemeteries, churches, parsonages and convents are entitled to a property tax exemption; clarifies that the Department of Revenue is the proper recipient of an application for exemption from a nature conservancy; corrects inaccurate cross references; deletes language that refers to assessment year 1973; clarifies that the Department of Revenue accredits and the Department of Licenses certifies appraisers; repeals statutes authorizing the State Tax Commission to reassess property located within a single county for local taxation purposes because these statutes were declared unconstitutional in the 1930's; and clarifies that the multistate activities credit for the business and occupation tax applies to processors of meat products.

Substitute Bill Compared to Original Bill: The substitute contains everything in the original bill and, in addition, clarifies that the multistate activities credit for the business and occupation tax applies to processors of meat products.

Fiscal Note: Requested January 21, 1994.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill contains technical corrections only. The changes provide gender neutral terms, correct out of date language and remove language held invalid by the courts.

Testimony Against: None.

Witnesses: Ryan Spiller, Department of Revenue; and Don Cofer, Attorney General's Office.