

**SENATE BILL REPORT**

**ESSB 5372**

**AS REPORTED BY COMMITTEE ON GOVERNMENT OPERATIONS,  
JANUARY 19, 1994**

**Brief Description:** Changing multiple tax provisions.

**SPONSORS:** Senate Committee on Government Operations (originally sponsored by Senators Loveland and Winsley)

**SENATE COMMITTEE ON GOVERNMENT OPERATIONS**

**Majority Report:** That Second Substitute Senate Bill No. 5372 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Haugen, Chairman; Drew, Vice Chairman; Loveland, Oke and Winsley.

**Staff:** Rod McAulay (786-7754)

**Hearing Dates:** February 12, 1993; February 19, 1993; January 19, 1994

**BACKGROUND:**

Existing statutory provisions governing the assessment and collection of various state and local taxes contain inconsistent procedures, time frames and obsolete references to agencies and other statutes. There is a need for general technical housekeeping legislation to reduce confusion and aid efficiency and fairness in the assessment and collection of taxes.

**SUMMARY:**

Delinquent gambling taxes become a lien on real and personal property in the same manner as other taxes.

Joint school district levies collected by a county treasurer must be remitted monthly rather than quarterly.

A redundant requirement that counties send tax foreclosure summons to city treasurers is deleted.

It is illegal to reuse or transfer a mobile home movement decal.

At least ten days prior to a hearing before the state Board of Tax Appeals, both the county assessor and the taxpayer must provide each other with evidence of comparable sales they intend to present.

The requirement that a notice of appeal from a county board of equalization decision be filed with the county auditor is

deleted. The notice is filed directly with the state Board of Tax Appeals. The state Board of Tax Appeals may enter a multi-year order.

The terms "adequate stocking" and "merchantable stand of timber" are defined by the Forest Practices Board.

Language is made clear that conservation future levies are subject to the 1 percent constitutional limit.

The senior citizen property tax exemption is available to a senior citizen who must rent their home to pay for confinement in a hospital or nursing home.

The court shall determine any penalty, not to exceed \$5,000, for the failure of a secured party listed on the tax rolls to provide to the assessor the name and address of the person making the mortgage or contract payments. The formula for establishing such a penalty is deleted.

Omitted improvements to real property may be added to the tax rolls even if other improvements already exist. The assessment of omitted improvements is not precluded by an intervening encumbrancer.

At the request of 80 percent of the owners, the county assessor may charge the all owners the actual cost of surveying and platting an irregular subdivision. These charges, if unpaid, become a lien on the property and may be collected in the same manner as a property tax.

The Board of Equalization may examine and compare returns of the assessment of the property presented in an individual appeal or other property not the subject of an appeal with the approval of the county assessor.

The abstract of the tax rolls shall be transmitted by the assessors to the department of revenue by the 18th of August.

If a county fails to provide the Department of Revenue an assessment return by December 1, the department may proceed in a manner it deems appropriate to estimate the value of each class of property in the county.

The county assessor must provide the taxpayer with any evidence of comparable sales at least 15 days prior to a board of equalization hearing. The taxpayer must provide the assessor with his or her evidence of comparable sales at least ten days prior to such hearing. The Board of Equalization may enter multi-year orders.

A property tax levy may include corrections for errors which occurred in the prior year. A correcting levy is not subject to the 106 percent limit.

Language is clarified that taxes paid as a result of mistake, inadvertence, or lack of knowledge of a public employee or taxpayer is the basis for a refund.

The provision authorizing payment of property taxes by credit card is repealed. Other obsolete references or terms are corrected or repealed.

**EFFECT OF PROPOSED SECOND SUBSTITUTE:**

The second substitute deletes sections enacted last session dealing with senior citizen exemptions and the deletion of a reference to a repealed statute. The second substitute also deletes a section amending the scope of review by boards of equalization. The emergency clause dealing with the senior citizen exemptions is removed.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** available