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HOUSE BILL 1530

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State of Washington

53rd Legislature

1993 Regular Session

By Representatives Morris, Foreman, Springer, Ogden, Carlson, Riley, Silver, Leonard, Chappell, H. Myers, Rayburn, Mastin, Thibaudeau, Anderson, Holm, Campbell, Brough, King, Hansen, Jones, Basich, Quall, Conway, Van Luven, Cothorn, Long and Finkbeiner

Read first time 01/29/93. Referred to Committee on Revenue.

1 AN ACT Relating to property tax exemptions for retired persons  
2 confined to hospitals and nursing homes; amending RCW 84.36.381;  
3 creating a new section; and declaring an emergency.

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

5 **Sec. 1.** RCW 84.36.381 and 1992 c 187 s 1 are each amended to read  
6 as follows:

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

11 (1) The property taxes must have been imposed upon a residence  
12 which was occupied by the person claiming the exemption as a principal  
13 place of residence as of January 1st of the year for which the  
14 exemption is claimed: PROVIDED, That any person who sells, transfers,  
15 or is displaced from his or her residence may transfer his or her  
16 exemption status to a replacement residence, but no claimant shall  
17 receive an exemption on more than one residence in any year: PROVIDED  
18 FURTHER, That confinement of the person to a hospital or nursing home  
19 shall not disqualify the claim of exemption if:

1        (a) The residence is temporarily unoccupied ((or if));

2        (b) The residence is occupied by a spouse and/or a person  
3 financially dependent on the claimant for support; or

4        (c) The residence is rented for the purpose of paying nursing home  
5 or hospital costs;

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 be sixty-one years of  
17 age or older on December 31st of the year in which the exemption claim  
18 is filed, or must have been, at the time of filing, retired from  
19 regular gainful employment by reason of physical disability: PROVIDED,  
20 That any surviving spouse of a person who was receiving an exemption at  
21 the time of the person's death shall qualify if the surviving spouse is  
22 fifty-seven years of age or older and otherwise meets the requirements  
23 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. If the income of the person  
31 claiming exemption is reduced for two or more months of the preceding  
32 year by reason of the death of the person's spouse, the combined  
33 disposable income of such person shall be calculated by multiplying the  
34 average monthly combined disposable income of such person after the  
35 death of the spouse by twelve.

36        (5)(a) A person who otherwise qualifies under this section and has  
37 a combined disposable income of twenty-six thousand dollars or less  
38 shall be exempt from all excess property taxes; and

1 (b)(i) A person who otherwise qualifies under this section and has  
2 a combined disposable income of eighteen thousand dollars or less but  
3 greater than fifteen thousand dollars shall be exempt from all regular  
4 property taxes on the greater of thirty thousand dollars or thirty  
5 percent of the valuation of his or her residence, but not to exceed  
6 fifty thousand dollars of the valuation of his or her residence; or

7 (ii) A person who otherwise qualifies under this section and has a  
8 combined disposable income of fifteen thousand dollars or less shall be  
9 exempt from all regular property taxes on the greater of thirty-four  
10 thousand dollars or fifty percent of the valuation of his or her  
11 residence.

12 NEW SECTION. **Sec. 2.** This act shall be effective for taxes levied  
13 for collection in 1993 and thereafter.

14 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
15 preservation of the public peace, health, or safety, or support of the  
16 state government and its existing public institutions, and shall take  
17 effect immediately.

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