
HOUSE BILL 2143

State of Washington 53rd Legislature 1994 1st Special Session

By Representatives Carlson, Brough, Long, Kessler, Sehlin and Morris

Read first time 01/10/94. Referred to Committee on Revenue.

1 AN ACT Relating to the senior citizen and disabled person property
2 tax exemption; amending RCW 84.36.381 and 84.55.010; and creating a new
3 section.

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

5 **Sec. 1.** RCW 84.36.381 and 1993 c 178 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;

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~~) thirty thousand dollars
38 or less 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~~) twenty-one thousand
3 dollars or less but greater than fifteen thousand dollars shall be
4 exempt from all regular property taxes on the greater of thirty
5 thousand dollars or thirty percent of the valuation of his or her
6 residence, but not to exceed fifty thousand dollars of the valuation of
7 his or her residence; or

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

13 **Sec. 2.** RCW 84.55.010 and 1979 ex.s. c 218 s 2 are each amended to
14 read as follows:

15 (1) Except as provided in this chapter, the levy for a taxing
16 district in any year shall be set so that the regular property taxes
17 payable in the following year shall not exceed one hundred six percent
18 of the amount of regular property taxes lawfully levied for such
19 district in the highest of the three most recent years in which such
20 taxes were levied for such district plus an additional dollar amount
21 calculated by multiplying the increase in assessed value in that
22 district resulting from new construction, improvements to property, and
23 any increase in the assessed value of state-assessed property by the
24 regular property tax levy rate of that district for the preceding year;
25 or

26 (2) If the legislature has enacted a new exemption or increased an
27 existing exemption, the levy for a taxing district in any year shall be
28 set at an amount that will not cause revenue-neutral tax shifts to
29 occur in violation of section 4 or 13, chapter 2, Laws of 1994.

30 NEW SECTION. **Sec. 3.** Section 1 of this act shall be effective for
31 taxes levied for collection in 1995 and thereafter.

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