

2 **ESSB 6241** - H COMM AMD
3 By Committee on Finance

4 ADOPTED AS AMENDED 3/1/96

5 Strike everything after the enacting clause and insert the
6 following:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 67.28 RCW
8 to read as follows:

9 (1) The legislative body of a town with a population of at least
10 three hundred twenty-five but less than five hundred fifty in a county
11 that borders on the northeastern slope of the Cascade mountains with a
12 population of at least thirty-six thousand but less than forty-two
13 thousand may levy and collect a special excise tax not to exceed three
14 percent on the sale of or charge made for the furnishing of lodging by
15 a hotel, rooming house, tourist court, motel, trailer camp, and the
16 granting of a similar license to use real property, as distinguished
17 from the renting or leasing of real property. For the purposes of this
18 tax, it is presumed that the occupancy of real property for a
19 continuous period of one month or more constitutes a rental or lease of
20 real property and not a mere license to use or to enjoy the property.

21 (2) The tax authorized in subsection (1) of this section is in
22 addition to any other tax authorized by law.

23 (3) A seller, as defined in RCW 82.08.010, who is required to
24 collect a tax under this section, shall pay the tax to the town as
25 provided in RCW 67.28.200. The deduction from state taxes under RCW
26 67.28.190 does not apply to taxes imposed under this section.

27 (4) The tax levied and collected under this section shall be
28 credited to a special fund in the treasury of the town. The taxes may
29 be levied only for the purpose of tourism promotion.

30 NEW SECTION. **Sec. 2.** A new section is added to chapter 67.28 RCW
31 to read as follows:

32 (1) The legislative body of a city with a population of at least
33 five hundred but less than one thousand in a county with a population
34 of at least eighty thousand but less than one hundred fifteen thousand
35 may levy and collect a special excise tax not to exceed two percent on
36 the sale of or charge made for the furnishing of lodging by a hotel,

1 rooming house, tourist court, motel, trailer camp, and the granting of
2 a similar license to use real property, as distinguished from the
3 renting or leasing of real property. For the purposes of this tax, it
4 is presumed that the occupancy of real property for a continuous period
5 of one month or more constitutes a rental or lease of real property and
6 not a mere license to use or to enjoy the property.

7 (2) The tax authorized in subsection (1) of this section is in
8 addition to any other tax authorized by law.

9 (3) A seller, as defined in RCW 82.08.010, who is required to
10 collect a tax under this section, shall pay the tax to the city as
11 provided in RCW 67.28.200. The deduction from state taxes under RCW
12 67.28.190 does not apply to taxes imposed under this section.

13 (4) The tax levied and collected under this section shall be
14 credited to a special fund in the treasury of the city. The taxes may
15 be levied only for the purpose of paying all or any part of the cost of
16 acquisition, construction, or operation of a performing and visual arts
17 center or to pay or secure the payment of all or any portion of general
18 obligation bonds or revenue bonds issued for such purpose.

19 NEW SECTION. **Sec. 3.** A new section is added to chapter 67.28 RCW
20 to read as follows:

21 (1) The legislative body of a city with a population of at least
22 thirty thousand but less than sixty thousand in a county with a
23 population of at least one hundred thousand but less than one hundred
24 forty-five thousand may levy and collect a special excise tax not to
25 exceed two percent on the sale of or charge made for the furnishing of
26 lodging by a hotel, rooming house, tourist court, motel, trailer camp,
27 and the granting of a similar license to use real property, as
28 distinguished from the renting or leasing of real property. For the
29 purposes of this tax, it is presumed that the occupancy of real
30 property for a continuous period of one month or more constitutes a
31 rental or lease of real property and not a mere license to use or to
32 enjoy the property.

33 (2) The tax authorized in subsection (1) of this section is in
34 addition to any other tax authorized by law.

35 (3) A seller, as defined in RCW 82.08.010, who is required to
36 collect a tax under this section, shall pay the tax to the city as
37 provided in RCW 67.28.200. The deduction from state taxes under RCW
38 67.28.190 does not apply to the tax imposed under this section.

1 (4) The tax levied and collected under this section shall be
2 credited to a special fund in the treasury of the city. The tax may be
3 levied only for the purpose of paying all or any part of the cost of
4 acquisition, construction, or operation of convention center facilities
5 or to pay or secure the payment of all or any portion of general
6 obligation bonds or revenue bonds issued for such purpose.

7 **Sec. 4.** RCW 67.28.210 and 1995 c 290 s 1 are each amended to read
8 as follows:

9 All taxes levied and collected under RCW 67.28.180, 67.28.240, and
10 67.28.260 shall be credited to a special fund in the treasury of the
11 county or city imposing such tax. Such taxes shall be levied only for
12 the purpose of paying all or any part of the cost of acquisition,
13 construction, or operating of stadium facilities, convention center
14 facilities, performing arts center facilities, and/or visual arts
15 center facilities or to pay or secure the payment of all or any portion
16 of general obligation bonds or revenue bonds issued for such purpose or
17 purposes under this chapter, or to pay for advertising, publicizing, or
18 otherwise distributing information for the purpose of attracting
19 visitors and encouraging tourist expansion when a county or city has
20 imposed such tax for such purpose, or as one of the purposes hereunder,
21 and until withdrawn for use, the moneys accumulated in such fund or
22 funds may be invested in interest bearing securities by the county or
23 city treasurer in any manner authorized by law. In addition such taxes
24 may be used to develop strategies to expand tourism: PROVIDED, That
25 any county, and any city within a county, bordering upon Grays Harbor
26 may use the proceeds of such taxes for construction and maintenance of
27 a movable tall ships tourist attraction in cooperation with a tall
28 ships restoration society, except to the extent that such proceeds are
29 used for payment of principal and interest on debt incurred prior to
30 June 11, 1986: PROVIDED FURTHER, That any city or county may use the
31 proceeds of such taxes for the refurbishing and operation of a steam
32 railway or historic maritime vessels used primarily for passenger
33 transportation for tourism promotion purposes: PROVIDED FURTHER, That
34 any city bordering on the Pacific Ocean or on Baker Bay with a
35 population of not less than eight hundred and the county in which such
36 a city is located, a city bordering on the Skagit river with a
37 population of not less than twenty thousand, or any city within a
38 county made up entirely of islands may use the proceeds of such taxes

1 for funding special events or festivals, or for the acquisition,
2 construction, or operation of publicly owned tourist promotional
3 infrastructures, structures, or buildings including but not limited to
4 an ocean beach boardwalk, public docks, and viewing towers: PROVIDED
5 FURTHER, That any county which imposes a tax under RCW 67.28.182 or any
6 city with a population less than fifty thousand in such county may use
7 the proceeds of the tax levied and collected under RCW 67.28.180 to
8 provide public restroom facilities available to and intended for use by
9 visitors: PROVIDED FURTHER, That any county made up entirely of
10 islands, and any city or town that has a population less than five
11 thousand, may use the proceeds of the tax levied and collected under
12 RCW 67.28.180 to provide public restroom facilities available to and
13 intended for use by visitors: PROVIDED FURTHER, That any city or
14 county may use the proceeds of such taxes for funding a civic festival,
15 if the following conditions are met: The festival is a community-wide
16 event held not more than once annually; the festival is approved by the
17 city, town, or county in which it is held; the festival is sponsored by
18 an exempt organization defined in section 501(c)(3), (4), or (6) of the
19 federal internal revenue code; the festival provides family-oriented
20 events suiting a broad segment of the community; and the proceeds of
21 such taxes are used solely for advertising and promotional materials
22 intended to attract overnight visitors: PROVIDED FURTHER, That any
23 city may use the proceeds of such taxes for street banners to attract
24 and welcome tourists."

25 **ESSB 6241** - H COMM AMD
26 By Committee on Finance

27

28 On page 1, line 2, of the title, after "towns;" strike the
29 remainder of the title and insert "amending RCW 67.28.210; and adding
30 new sections to chapter 67.28 RCW."

--- END ---