

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1673

54th Legislature
1995 Regular Session

Passed by the House April 20, 1995
Yeas 95 Nays 1

**Speaker of the
House of Representatives**

Passed by the Senate April 14, 1995
Yeas 47 Nays 1

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1673** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1673

AS AMENDED BY THE SENATE

Passed Legislature - 1995 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By House Committee on Finance (originally sponsored by Representatives Dickerson, Mason, Morris, Chappell, Wolfe, Kessler, Hatfield, Conway, Benton, Kremen, Cody and Mastin)

Read first time 03/06/95.

1 AN ACT Relating to property tax deferrals for senior citizens and
2 persons retired by reason of physical disability; and amending RCW
3 84.38.020 and 84.38.030.

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

5 **Sec. 1.** RCW 84.38.020 and 1991 c 213 s 1 are each amended to read
6 as follows:

7 Unless a different meaning is plainly required by the context, the
8 following words and phrases as hereinafter used in this chapter shall
9 have the following meanings:

10 (1) "Claimant" means a person who either elects or is required
11 under RCW ((~~84.64.030~~ or)) 84.64.050 to defer payment of the special
12 assessments and/or real property taxes accrued on the claimant's
13 residence by filing a declaration to defer as provided by this chapter.

14 When two or more individuals of a household file or seek to file a
15 declaration to defer, they may determine between them as to who the
16 claimant shall be.

17 (2) "Department" means the state department of revenue.

18 (3) "Equity value" means the amount by which the fair market value
19 of a residence as determined from the records of the county assessor

1 exceeds the total amount of any liens or other obligations against the
2 property.

3 (4) "Real property taxes" means ad valorem property taxes levied on
4 a residence in this state in the preceding calendar year.

5 (5) "Residence" has the meaning given in RCW 84.36.383, except that
6 a residence includes any additional property up to a total of five
7 acres that comprises the residential parcel if this larger parcel size
8 is required under land use regulations.

9 (6) "Special assessment" means the charge or obligation imposed by
10 a city, town, county, or other municipal corporation upon property
11 specially benefited by a local improvement, including assessments under
12 chapters 35.44, 36.88, 36.94, 53.08, 54.16, 56.20, 57.16, 86.09, and
13 87.03 RCW and any other relevant chapter.

14 (~~((5) "Real property taxes" means ad valorem property taxes levied~~
15 ~~on a residence in this state in the preceding calendar year.))~~)

16 **Sec. 2.** RCW 84.38.030 and 1991 c 213 s 2 are each amended to read
17 as follows:

18 A claimant may defer payment of special assessments and/or real
19 property taxes on up to eighty percent of the amount of the claimant's
20 equity value in the claimant's residence if the following conditions
21 are met:

22 (1) The claimant must meet all requirements for an exemption for
23 the residence under RCW 84.36.381, other than the age and income limits
24 under RCW 84.36.381 and the parcel size limit under RCW 84.36.383.

25 (2) The claimant must be sixty years of age or older on December
26 31st of the year in which the deferral claim is filed, or must have
27 been, at the time of filing, retired from regular gainful employment by
28 reason of physical disability: PROVIDED, That any surviving spouse of
29 a person who was receiving a deferral at the time of the person's death
30 shall qualify if the surviving spouse is fifty-seven years of age or
31 older and otherwise meets the requirements of this section.

32 (3) The claimant must have a combined disposable income, as defined
33 in RCW 84.36.383, of (~~(thirty))~~ thirty-four thousand dollars or less.

34 (~~((3))~~) (4) The claimant must have owned, at the time of filing,
35 the residence on which the special assessment and/or real property
36 taxes have been imposed. For purposes of this subsection, a residence
37 owned by a marital community or owned by cotenants shall be deemed to
38 be owned by each spouse or cotenant. A claimant who has only a share

1 ownership in cooperative housing, a life estate, a lease for life, or
2 a revocable trust does not satisfy the ownership requirement.

3 (~~(4)~~) (5) The claimant must have and keep in force fire and
4 casualty insurance in sufficient amount to protect the interest of the
5 state in the claimant's equity value: PROVIDED, That if the claimant
6 fails to keep fire and casualty insurance in force to the extent of the
7 state's interest in the claimant's equity value, the amount deferred
8 shall not exceed one hundred percent of the claimant's equity value in
9 the land or lot only.

10 (~~(5)~~) (6) In the case of special assessment deferral, the
11 claimant must have opted for payment of such special assessments on the
12 installment method if such method was available.

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