
HOUSE BILL 2699

State of Washington

55th Legislature

1998 Regular Session

By Representatives Wensman, Quall, Cairnes, Alexander, Mitchell, Gardner, Hickel, Linville, Crouse, Grant, Talcott, Mulliken, Koster, D. Sommers, Radcliff, Chandler, L. Thomas, Hankins, Doumit, Delvin, Scott, Sheahan, McCune, Carrell, Sullivan, Johnson, Sherstad, Backlund, Benson, Zellinsky, McMorris, Dunn, Robertson, Boldt, Buck, Cooke, D. Schmidt, Sterk, Thompson, Pennington, DeBolt, Skinner, Clements, Schoesler, McDonald, Kessler, Mastin, Cole, Wolfe, Murray, Lambert, Tokuda, Cody, Morris, Mielke, Bush, Van Luven and Ballasiotes

Read first time 01/19/98. Referred to Committee on Finance.

1 AN ACT Relating to real estate excise tax revenues related to
2 construction of capital improvements to public schools; adding a new
3 section to chapter 82.45 RCW; and adding a new section to chapter 43.09
4 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 82.45 RCW
7 to read as follows:

8 A school district may make a one-time election requesting the
9 county or counties in which the school district is located to impose an
10 excise tax in lieu of impact fees in accordance with the following
11 terms and conditions:

12 (1) Upon request of a school district, the legislative authority of
13 the county in which the school district is located shall impose an
14 excise tax upon the sale of real property within such school district
15 at the rate of 0.128 percent of the selling price. This tax is in
16 addition to other taxes authorized by law and shall be collected from
17 all transactions taxed under RCW 82.45.060;

18 (2) The tax imposed under subsection (1) of this section shall be
19 deducted from the amount of tax otherwise required to be collected

1 under RCW 82.45.060 and paid over to the state treasurer under RCW
2 82.45.180;

3 (3) All revenues collected by the county under this section shall
4 be distributed to the school districts making a request under
5 subsection (1) of this section to fund construction of capital
6 improvements to public schools or to repay bonded indebtedness incurred
7 to fund construction of capital improvements to public schools. The
8 funds shall not be used for maintenance or operations of school
9 districts. The county shall distribute the funds to each school
10 district located within the county in an amount proportionate to the
11 total amount of real estate excise tax collected under this chapter on
12 transfers of property located within the school district. The county
13 may use two percent of the tax imposed under this section for
14 administrative expenses in reporting and distributing those proceeds;

15 (4) The county shall distribute the funds to school districts no
16 less frequently than once every six months;

17 (5) Once a county imposes a tax under this section, the county and
18 all cities and towns within the county shall not, in regard to property
19 within school districts receiving funds under this section:

20 (a) Impose fees under RCW 82.02.050 through 82.02.100 on the
21 construction, reconstruction, or remodeling of residential housing to
22 pay for school facilities;

23 (b) Condition or deny a division of land under chapter 58.17 RCW on
24 the ground that the proposed plat does not make appropriate provisions
25 for sites for schools and school grounds; and

26 (c) Condition or deny construction, reconstruction, or remodeling
27 of residential housing under chapter 43.21C RCW on the ground that such
28 action has an adverse environmental impact relating to school capacity
29 which must be mitigated upon the payment of fees to fund acquisition or
30 rental of land, construction of capital facilities on school grounds,
31 or acquisition or rental of school facilities; and

32 (6) After a county planning under chapter 36.70A RCW imposes a tax
33 under this section, the county and all cities and towns within such
34 counties shall amend the capital facilities element of their
35 comprehensive plans to reflect that the tax under subsection (1) of
36 this section has replaced any funding sources in subsection (5) of this
37 section previously relied upon in the comprehensive plans.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.09 RCW
2 to read as follows:

3 On October 1st of each year, every county and school district
4 receiving funds under section 1 of this act shall report to the state
5 auditor all revenues and expenditures from funds derived under section
6 1 of this act. Every December 1st, the state auditor shall report to
7 the legislature the information reported under this section.

8 NEW SECTION. **Sec. 3.** If any provision of this act or its
9 application to any person or circumstance is held invalid, the
10 remainder of the act or the application of the provision to other
11 persons or circumstances is not affected.

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