
SENATE BILL 5946

State of Washington

55th Legislature

1997 Regular Session

By Senators Anderson, Deccio, McCaslin, Long, Oke, Johnson, Stevens and Schow

Read first time 02/21/97. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to property tax exemptions for persons confined in
2 adult family homes and certain boarding homes; and amending RCW
3 84.36.381.

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

5 **Sec. 1.** RCW 84.36.381 and 1996 c 146 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 the time of filing: PROVIDED, That any person
14 who sells, transfers, or is displaced from his or her residence may
15 transfer his or her exemption status to a replacement residence, but no
16 claimant shall receive an exemption on more than one residence in any
17 year: PROVIDED FURTHER, That confinement of the person to a hospital
18 (~~or~~), nursing home, adult family home, or boarding home that provides

1 enhanced adult residential care or assisted living services, as defined
2 in RCW 74.39A.008, shall not disqualify the claim of exemption if:

3 (a) The residence is temporarily unoccupied;

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

6 (c) The residence is rented for the purpose of paying costs of a
7 nursing home ((or)), hospital ((costs)), adult family home, or boarding
8 home that provides enhanced adult residential care or assisted living
9 services, as defined in RCW 74.39A.008;

10 (2) The person claiming the exemption must have owned, at the time
11 of filing, in fee, as a life estate, or by contract purchase, the
12 residence on which the property taxes have been imposed or if the
13 person claiming the exemption lives in a cooperative housing
14 association, corporation, or partnership, such person must own a share
15 therein representing the unit or portion of the structure in which he
16 or she resides. For purposes of this subsection, a residence owned by
17 a marital community or owned by cotenants shall be deemed to be owned
18 by each spouse or cotenant, and any lease for life shall be deemed a
19 life estate;

20 (3) The person claiming the exemption must be sixty-one years of
21 age or older on December 31st of the year in which the exemption claim
22 is filed, or must have been, at the time of filing, retired from
23 regular gainful employment by reason of physical disability: PROVIDED,
24 That any surviving spouse of a person who was receiving an exemption at
25 the time of the person's death shall qualify if the surviving spouse is
26 fifty-seven years of age or older and otherwise meets the requirements
27 of this section;

28 (4) The amount that the person shall be exempt from an obligation
29 to pay shall be calculated on the basis of combined disposable income,
30 as defined in RCW 84.36.383. If the person claiming the exemption was
31 retired for two months or more of the assessment year, the combined
32 disposable income of such person shall be calculated by multiplying the
33 average monthly combined disposable income of such person during the
34 months such person was retired by twelve. If the income of the person
35 claiming exemption is reduced for two or more months of the assessment
36 year by reason of the death of the person's spouse, or when other
37 substantial changes occur in disposable income that are likely to
38 continue for an indefinite period of time, the combined disposable
39 income of such person shall be calculated by multiplying the average

1 monthly combined disposable income of such person after such
2 occurrences by twelve. If it is necessary to estimate income to comply
3 with this subsection, the assessor may require confirming documentation
4 of such income prior to May 31 of the year following application;

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

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

14 (ii) A person who otherwise qualifies under this section and has a
15 combined disposable income of fifteen thousand dollars or less shall be
16 exempt from all regular property taxes on the greater of thirty-four
17 thousand dollars or fifty percent of the valuation of his or her
18 residence; and

19 (6) For a person who otherwise qualifies under this section and has
20 a combined disposable income of twenty-eight thousand dollars or less,
21 the valuation of the residence shall be the assessed value of the
22 residence on the later of January 1, 1995, or January 1st of the
23 assessment year the person first qualifies under this section. If the
24 person subsequently fails to qualify under this section only for one
25 year because of high income, this same valuation shall be used upon
26 requalification. If the person fails to qualify for more than one year
27 in succession because of high income or fails to qualify for any other
28 reason, the valuation upon requalification shall be the assessed value
29 on January 1st of the assessment year in which the person requalifies.
30 If the person transfers the exemption under this section to a different
31 residence, the valuation of the different residence shall be the
32 assessed value of the different residence on January 1st of the
33 assessment year in which the person transfers the exemption.

34 In no event may the valuation under this subsection be greater than
35 the true and fair value of the residence on January 1st of the
36 assessment year.

37 This subsection does not apply to subsequent improvements to the
38 property in the year in which the improvements are made. Subsequent
39 improvements to the property shall be added to the value otherwise

1 determined under this subsection at their true and fair value in the
2 year in which they are made.

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