

---

HOUSE BILL 1059

---

State of Washington

57th Legislature

2001 Regular Session

By Representatives Cox, Hatfield, Cairnes and Pflug

Read first time 01/15/2001. Referred to Committee on Finance.

1 AN ACT Relating to personal property taxation; and amending RCW  
2 84.48.080 and 84.40.190.

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

4 **Sec. 1.** RCW 84.48.080 and 1997 c 3 s 112 are each amended to read  
5 as follows:

6 (1) Annually during the months of September and October, the  
7 department of revenue shall examine and compare the returns of the  
8 assessment of the property in the several counties of the state, and  
9 the assessment of the property of railroad and other companies assessed  
10 by the department, and proceed to equalize the same, so that each  
11 county in the state shall pay its due and just proportion of the taxes  
12 for state purposes for such assessment year, according to the ratio the  
13 ((assessed)) valuation of the property in each county bears to the  
14 ((correct)) total ((assessed)) valuation of all property in the state.

15 ((First-)) (a) The department shall classify all property, real and  
16 personal, and shall raise and lower the ((assessed)) valuation of any  
17 class of property in any county to a value that shall be equal, so far  
18 as possible, to the ((correct-assessed)) true and fair value of such  
19 class as of January 1st of the current year(~~(, after determining the~~

1 ~~correct appraised value, and any adjustment applicable under RCW~~  
2 ~~84.40.0305 for the property,))~~ for the purpose of ascertaining the just  
3 amount of tax due from each county for state purposes. ~~((In equalizing~~  
4 ~~personal property as of January 1st of the current year, the department~~  
5 ~~shall use the assessment level of the preceding year.))~~ In equalizing  
6 personal property as of January 1st of the current year, the department  
7 shall use valuation data with respect to personal property from the  
8 three years immediately preceding the current assessment year in a  
9 manner it deems appropriate. Such classification may be on the basis  
10 of types of property, geographical areas, or both. For purposes of  
11 this section, for each county that has not provided the department with  
12 an assessment return by December 1st, the department shall proceed,  
13 using facts and information and in a manner it deems appropriate, to  
14 estimate the value of each class of property in the county.

15 ~~((Second.))~~ (b) The department shall keep a full record of its  
16 proceedings and the same shall be published annually by the department.

17 (2) The department shall levy the state taxes authorized by law.  
18 The amount levied in any one year for general state purposes shall not  
19 exceed the lawful dollar rate on the dollar of the assessed value of  
20 the property of the entire state ~~((as equalized under this section)),~~  
21 which assessed value shall be one hundred percent of the true and fair  
22 value of the property in money. The department shall apportion the  
23 amount of tax for state purposes levied by the department, among the  
24 several counties, in proportion to the ~~((assessed))~~ valuation of the  
25 taxable property of the county for the year as equalized by the  
26 department: PROVIDED, That for purposes of this apportionment, the  
27 department shall recompute the previous year's levy and the  
28 apportionment thereof to correct for changes and errors in taxable  
29 values reported to the department after October 1 of the preceding year  
30 and shall adjust the apportioned amount of the current year's state  
31 levy for each county by the difference between the apportioned amounts  
32 established by the original and revised levy computations for the  
33 previous year. For purposes of this section, changes in taxable values  
34 mean a final adjustment made by a county board of equalization, the  
35 state board of tax appeals, or a court of competent jurisdiction and  
36 shall include additions of omitted property, other additions or  
37 deletions from the assessment or tax rolls, any assessment return  
38 provided by a county to the department subsequent to December 1st, or

1 a change in the indicated ratio of a county. Errors in taxable values  
2 mean errors corrected by a final reviewing body.

3 In addition to computing a levy under this subsection that is  
4 reduced under RCW 84.55.012, the department shall compute a  
5 hypothetical levy without regard to the reduction under RCW 84.55.012.  
6 This hypothetical levy shall also be apportioned among the several  
7 counties in proportion to the valuation of the taxable property of the  
8 county for the year, as equalized by the department, in the same manner  
9 as the actual levy and shall be used by the county assessors for the  
10 purpose of recomputing and establishing a consolidated levy under RCW  
11 84.52.010.

12 (3) The department shall have authority to adopt rules and  
13 regulations to enforce obedience to its orders in all matters in  
14 relation to the returns of county assessments, the equalization of  
15 values, and the apportionment of the state levy by the department.

16 (4) After the completion of the duties prescribed in this section,  
17 the director of the department shall certify the record of the  
18 proceedings of the department under this section, the tax levies made  
19 for state purposes and the apportionment thereof among the counties,  
20 and the certification shall be available for public inspection.

21 **Sec. 2.** RCW 84.40.190 and 1993 c 33 s 4 are each amended to read  
22 as follows:

23 Every person required by this title to list property shall make out  
24 and deliver to the assessor, or to the department as required by RCW  
25 84.40.065, either in person (~~(or)~~), by mail, or electronic transmittal,  
26 a statement, verified under penalty of perjury, of all the personal  
27 property in his or her possession or under his or her control, and  
28 which, by the provisions of this title, he or she is required to list  
29 for taxation, either as owner or holder thereof. Each list, schedule  
30 or statement required by this chapter shall be signed by the individual  
31 if the person required to make the same is an individual; by the  
32 president, vice-president, treasurer, assistant treasurer, chief  
33 accounting officer or any other officer duly authorized to so act if  
34 the person required to make the same is a corporation; by a responsible  
35 and duly authorized member or officer having knowledge of its affairs,  
36 if the person required to make the same is a partnership or other  
37 unincorporated organization; or by the fiduciary, if the person  
38 required to make the same is a trust or estate. The list, schedule, or

1 statement may be made and signed for the person required to make the  
2 same by an agent who is duly authorized to do so by a power of attorney  
3 filed with and approved by the assessor. When any list, schedule, or  
4 statement is made and signed by such agent, the principal required to  
5 make out and deliver the same shall be responsible for the contents and  
6 the filing thereof and shall be liable for the penalties imposed  
7 pursuant to RCW 84.40.130. No person shall be required to list for  
8 taxation in his statement to the assessor any share or portion of the  
9 capital stock, or of any of the property of any company, association or  
10 corporation, which such person may hold in whole or in part, where such  
11 company, being required so to do, has listed for assessment and  
12 taxation its capital stock and property with the department of revenue,  
13 or as otherwise required by law.

--- END ---