
SENATE BILL 5731

State of Washington

57th Legislature

2001 Regular Session

By Senators Morton, Honeyford, Sheahan, Hale, Zarelli, Hewitt, West, Long, Oke and Stevens

Read first time 02/01/2001. Referred to Committee on Environment, Energy & Water.

1 AN ACT Relating to electric utility sales and use tax exemptions;
2 adding a new section to chapter 82.08 RCW; and adding a new section to
3 chapter 82.12 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 82.08 RCW
6 to read as follows:

7 (1) The tax levied by RCW 82.08.020 does not apply to:

8 (a) Sales of tangible personal property to an electric utility for
9 construction or improvement of new or existing generating facilities;
10 or

11 (b) Sales of or charges made for labor and services performed in
12 respect to the construction of new or additional generating facilities.

13 (2) The following definitions apply to this section unless the
14 context clearly requires otherwise.

15 (a) "Electric utility" has the same meaning as provided under RCW
16 19.29A.010 and includes, but is not limited to, utilities that generate
17 electricity from sources such as hydroelectric, natural gas, nuclear,
18 plasma arc, tidal, biomass, fuel cells, geothermal, or landfill gas.

1 (b) "Generating facilities" means (i) any machinery, equipment,
2 structure, property, property improvement, or accessory installed,
3 built, or acquired for the primary purpose of increasing the output or
4 efficiency of the electric utility; or (ii) a facility as defined in
5 RCW 82.34.010(1).

6 (3) The purchaser must provide the seller with an exemption
7 certificate in a form and manner prescribed by the department. The
8 seller must retain a copy of the certificate for the seller's files.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.12 RCW
10 to read as follows:

11 (1) The tax levied by RCW 82.12.020 does not apply to the use of
12 tangible personal property by an electric utility for construction or
13 improvement of new or existing generating facilities.

14 (2) The following definitions apply to this section unless the
15 context clearly requires otherwise.

16 (a) "Electric utility" has the same meaning as provided under RCW
17 19.29A.010 and includes, but is not limited to, utilities that generate
18 electricity from sources such as hydroelectric, natural gas, nuclear,
19 plasma arc, tidal, biomass, fuel cells, geothermal, or landfill gas.

20 (b) "Generating facilities" means (i) any machinery, equipment,
21 structure, property, property improvement, or accessory installed,
22 built, or acquired for the primary purpose of increasing the output or
23 efficiency of the electric utility; or (ii) a facility as defined in
24 RCW 82.34.010(1).

25 (3) The purchaser must provide the seller with an exemption
26 certificate in a form and manner prescribed by the department. The
27 seller must retain a copy of the certificate for the seller's files.

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