
HOUSE BILL 3076

State of Washington

58th Legislature

2004 Regular Session

By Representatives Santos, Nixon, Ruderman, Simpson, G., Campbell, Chase, Shabro, Lovick, Darneille, Sullivan, Pettigrew, Simpson, D., Hunt, Blake, Veloria and Kessler

Read first time 01/27/2004. Referred to Committee on Finance.

1 AN ACT Relating to property tax relief; adding new sections to
2 chapter 84.36 RCW; and creating new sections.

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

4 **LEGISLATIVE INTENT**

5 NEW SECTION. **Sec. 1.** The legislature finds and declares that it
6 is in the public interest of the people of the state of Washington to
7 encourage home ownership. To achieve this purpose, this act provides
8 a property tax homestead exemption to help offset the tax impact of
9 rising property values, and thus make home ownership more affordable to
10 low-income and middle-income households. It is the clear and
11 unambiguous intent of the legislature that such property as described
12 within this measure be exempt from taxation, as authorized by Article
13 VII, section 1 of the Washington state Constitution.

14 **DEFINITIONS**

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 84.36 RCW
16 to read as follows:

1 For the purposes of this section and section 2 of this act, the
2 following definitions apply unless the context clearly requires
3 otherwise:

4 (1) The term "residence" means a single-family dwelling unit
5 whether the unit is separate or part of a multiunit dwelling, including
6 the land on which the dwelling stands not to exceed one acre. The term
7 also includes a share ownership in a cooperative housing association,
8 corporation, or partnership if the person claiming exemption can
9 establish that his or her share represents the specific unit or portion
10 of the structure in which he or she resides. The term also includes a
11 single-family dwelling situated upon lands the fee of which is vested
12 in the United States or any instrumentality thereof including an Indian
13 tribe or in the state of Washington, and notwithstanding the provisions
14 of RCW 84.04.080 and 84.04.090, this residence shall be deemed real
15 property.

16 (2) The term "real property" also includes a mobile home which has
17 substantially lost its identity as a mobile unit by virtue of its being
18 fixed in location upon land owned or leased by the owner of the mobile
19 home and placed on a foundation (posts or blocks) with fixed pipe,
20 connections with sewer, water, or other utilities. A mobile home
21 located on land leased by the owner of the mobile home is subject, for
22 tax billing, payment, and collection purposes, only to the personal
23 property provisions of chapter 84.56 RCW and RCW 84.60.040.

24 (3) "Cotenant" means a person who resides with the person claiming
25 the exemption and who has an ownership interest in the residence.

26 QUALIFICATIONS

27 NEW SECTION. **Sec. 3.** A new section is added to chapter 84.36 RCW
28 to read as follows:

29 A person is exempt from any legal obligation to pay a portion of
30 the amount of excess and regular real property taxes due and payable in
31 the year following the year in which a claim is filed, and thereafter,
32 in accordance with the following:

33 (1) The property taxes must have been imposed upon a residence
34 which was occupied by the person claiming the exemption as a principal
35 place of residence as of the time of filing: PROVIDED, That any person
36 who sells, transfers, or is displaced from his or her residence may

1 transfer his or her exemption status to a replacement residence, but no
2 claimant shall receive an exemption on more than one residence in any
3 year: PROVIDED FURTHER, That confinement of the person to a hospital
4 or nursing home shall not disqualify the claim of exemption if:

5 (a) The residence is temporarily unoccupied;

6 (b) The residence is occupied by a spouse or a person financially
7 dependent on the claimant for support; or

8 (c) The residence is rented for the purpose of paying nursing home
9 or hospital costs.

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, the 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) A qualifying residence under this section is exempt from all
21 excess property taxes on a value equal to twenty percent of the local
22 county's median property value, as of January 1st of the assessment
23 year. For each local taxing district, a qualifying residence is exempt
24 from regular property taxes on a value equal to the lower of twenty
25 percent of the local county's median property value as of January 1st
26 of the assessment year, or the maximum exemption that can be applied
27 uniformly within the district without resulting in a loss of revenues
28 due to the aggregate limits imposed by RCW 84.52.043 or other statute.
29 For the state levy, a qualifying residence is exempt from regular
30 property taxes on a value equal to twenty percent of the state's median
31 property value, as of January 1st of the assessment year.

32 (4) The department of revenue shall adopt rules that are necessary
33 and convenient to properly administer the provisions of this section.

34 NEW SECTION. **Sec. 4.** Part headings used in this act are not any
35 part of the law.

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