

---

HOUSE BILL 2439

---

State of Washington

59th Legislature

2006 Regular Session

By Representatives Hudgins, Kilmer, McCoy, Morrell, Appleton, Moeller, Rodne, Linville, Conway, P. Sullivan, Morris, B. Sullivan, Green, Ericks, Upthegrove and Ormsby

Prefiled 1/4/2006. Read first time 01/09/2006. Referred to Committee on Finance.

1 AN ACT Relating to the support of military families stationed in  
2 Washington state through an exemption from the state and local real  
3 estate excise taxes for home sales resulting from military relocation  
4 orders within three years of home purchase; adding a new section to  
5 chapter 82.45 RCW; providing an effective date; and providing a  
6 contingent expiration date.

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

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

10 (1) The sale of real property is exempt from tax under this chapter  
11 if the person claiming the exemption: (a) Occupied the property as a  
12 principal place of residence on the date military relocation orders  
13 were issued that require the seller, or seller's spouse, to relocate  
14 for continued active duty service; (b) purchased the residence within  
15 the three years preceding the date of issuance of the military  
16 relocation orders; (c) sold the property within the twelve months  
17 following the issuance of the military relocation orders; and (d) was  
18 an active duty member of the military on the date the property was  
19 sold, or the person's spouse was an active duty member on such date.

1 (2)(a) When a real estate tax affidavit is submitted to the county  
2 treasurer and the affidavit specifies the exemption under this section,  
3 the treasurer may request to verify, or maintain copies of, documents  
4 required in accordance with (b) of this subsection.

5 (b) The person taking the exemption under this section must keep  
6 records necessary for the department to verify eligibility under this  
7 section including, but not limited to: (i) The permanent change of  
8 station orders, or other documentation substantiating military  
9 relocation orders; (ii) the instrument of sale or conveyance  
10 substantiating the seller's purchase of the residence within the three  
11 years preceding the date of issuance of the military relocation orders;  
12 (iii) documentation indicating active duty status in the military on  
13 the date the property was sold; (iv) the seller's Washington state  
14 driver's license and certificate of vehicle license registration, if  
15 the seller owns and operates a vehicle; and (v) the seller's voter  
16 registration card, or other documentation indicating that the seller is  
17 registered to vote in the state of Washington, if the seller is  
18 registered to vote.

19 NEW SECTION. **Sec. 2.** This act takes effect July 1, 2006.

20 NEW SECTION. **Sec. 3.** (1) This act expires on the first day of the  
21 month that is at least twenty days after the occurrence of either of  
22 the following:

23 (a) Ten years from the effective date of this act has elapsed; or

24 (b) The number of active duty members in all branches of the armed  
25 forces in Iraq is less than twenty thousand.

26 (2) The department of revenue shall make the determination that  
27 this act has expired under subsection (1) of this section. After the  
28 department has made this determination, the department shall notify the  
29 county treasurers that the exemption is no longer available. To  
30 facilitate the determination under subsection (1)(b) of this section,  
31 the department may rely on its determination of the best available  
32 listing of United States forces deployed in Iraq. The department shall  
33 not modify or revoke a determination under this section.

--- END ---