
HOUSE BILL 3091

State of Washington 59th Legislature 2006 Regular Session

By Representative B. Sullivan

Read first time 01/19/2006. Referred to Committee on Local Government.

1 AN ACT Relating to permitted uses of real estate excise taxes
2 imposed by counties and cities; and reenacting and amending RCW
3 82.46.035.

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

5 **Sec. 1.** RCW 82.46.035 and 1992 c 221 s 3 and 1991 sp.s. c 32 s 33
6 are each reenacted and amended to read as follows:

7 (1) The legislative authority of any county or city shall identify
8 in the adopted budget the capital projects funded in whole or in part
9 from the proceeds of the tax authorized in this section, and shall
10 indicate that such tax is intended to be in addition to other funds
11 that may be reasonably available for such capital projects.

12 (2) The legislative authority of any county or any city that plans
13 under RCW 36.70A.040(1) may impose an additional excise tax on each
14 sale of real property in the unincorporated areas of the county for the
15 county tax and in the corporate limits of the city for the city tax at
16 a rate not exceeding one-quarter of one percent of the selling price.
17 Any county choosing to plan under RCW 36.70A.040(2) and any city within
18 such a county may only adopt an ordinance imposing the excise tax
19 authorized by this section if the ordinance is first authorized by a

1 proposition approved by a majority of the voters of the taxing district
2 voting on the proposition at a general election held within the
3 district or at a special election within the taxing district called by
4 the district for the purpose of submitting such proposition to the
5 voters.

6 (3) Revenues generated from the tax imposed under subsection (2) of
7 this section shall be used by such counties and cities (~~solely~~) for
8 financing capital projects specified in a capital facilities plan
9 element of a comprehensive plan, and for the maintenance and operation
10 of capital facilities. However, revenues (a) pledged by such counties
11 and cities to debt retirement prior to March 1, 1992, may continue to
12 be used for that purpose until the original debt for which the revenues
13 were pledged is retired, or (b) committed prior to March 1, 1992, by
14 such counties or cities to a project may continue to be used for that
15 purpose until the project is completed.

16 (4) Revenues generated by the tax imposed by this section shall be
17 deposited in a separate account.

18 (5) As used in this section, "city" means any city or town and
19 "capital project" means those public works projects of a local
20 government for planning, acquisition, construction, reconstruction,
21 repair, replacement, rehabilitation, or improvement of streets, roads,
22 highways, sidewalks, street and road lighting systems, traffic signals,
23 bridges, domestic water systems, storm and sanitary sewer systems, and
24 planning, construction, reconstruction, repair, rehabilitation, or
25 improvement of parks.

26 (6) When the governor files a notice of noncompliance under RCW
27 36.70A.340 with the secretary of state and the appropriate county or
28 city, the county or city's authority to impose the additional excise
29 tax under this section shall be temporarily rescinded until the
30 governor files a subsequent notice rescinding the notice of
31 noncompliance.

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