
SECOND SUBSTITUTE SENATE BILL 5005

State of Washington 59th Legislature 2006 Regular Session

By Senate Committee on Natural Resources, Ocean & Recreation
(originally sponsored by Senators Jacobsen, Oke, Kline, Parlette,
Fraser and Shin)

READ FIRST TIME 02/03/06.

1 AN ACT Relating to nature-based tourism; amending RCW 67.28.1815
2 and 67.28.181; adding a new section to chapter 67.28 RCW; and creating
3 a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that nature-based
6 tourism is the fastest growing outdoor activity and the fastest growing
7 segment of the tourism industry. Tourism activities relating to
8 watchable wildlife contribute more than one billion dollars to the
9 state's economy per year, and it is primarily the rural areas of the
10 state in which these activities occur.

11 The legislature further finds that there is general agreement among
12 the hospitality industry, tourism interests, local governments, and
13 watchable wildlife organizations that owners of working farms,
14 woodlands, and rural open space lands provide a significant portion of
15 the key areas for the wildlife which in turn attract the nature-based
16 tourists. While tourism promotion interests seek to provide incentives
17 to these landowners to maintain these key areas in a manner that
18 benefits wildlife, and to assist them in managing the tourists that

1 seek to appreciate this wildlife, there is a need to create options for
2 local governments seeking to provide monetary incentives to these
3 landowners.

4 Therefore, it is the purpose of this act to provide local
5 governments, at their option, an additional source of lodging tax
6 revenue that may be used to provide monetary incentives to landowners
7 who agree to undertake activities that promote nature-based tourism.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 67.28 RCW
9 to read as follows:

10 (1) The legislative body of any municipality may impose an excise
11 tax on the sale of or charge made for the furnishing of lodging that is
12 subject to tax under chapter 82.08 RCW. The rate of tax shall not
13 exceed one-half of one percent.

14 (2) Any county ordinance or resolution adopted under this section
15 must contain a provision allowing a credit against the county tax for
16 the full amount of any city or town tax imposed under this section upon
17 the same taxable event.

18 (3) All revenue from taxes imposed under this section shall be
19 credited to a special fund in the treasury of the municipality imposing
20 such tax and used solely for the purposes of funding all or any part of
21 agreements with the owners of forest land under chapter 84.33 RCW or
22 open space land, farm and agricultural land, or timber land under
23 chapter 84.34 RCW, to provide public access to private lands and to
24 manage wildlife habitat for the promotion of tourism.

25 **Sec. 3.** RCW 67.28.1815 and 1997 c 452 s 4 are each amended to read
26 as follows:

27 All revenue from taxes imposed under this chapter, except revenue
28 from taxes imposed under section 2 of this act, shall be credited to a
29 special fund in the treasury of the municipality imposing such tax and
30 used solely for the purpose of paying all or any part of the cost of
31 tourism promotion, acquisition of tourism-related facilities, or
32 operation of tourism-related facilities. Municipalities may, under
33 chapter 39.34 RCW, agree to the utilization of revenue from taxes
34 imposed under this chapter for the purposes of funding a
35 multijurisdictional tourism-related facility.

1 **Sec. 4.** RCW 67.28.181 and 2004 c 79 s 8 are each amended to read
2 as follows:

3 (1) The legislative body of any municipality may impose an excise
4 tax on the sale of or charge made for the furnishing of lodging that is
5 subject to tax under chapter 82.08 RCW. The rate of tax shall not
6 exceed the lesser of two percent or a rate that, when combined with all
7 other taxes imposed upon sales of lodging within the municipality under
8 this chapter except taxes imposed under section 2 of this act, and
9 under chapters 36.100, 67.40, 82.08, and 82.14 RCW, equals twelve
10 percent. A tax under this chapter shall not be imposed in increments
11 smaller than tenths of a percent.

12 (2) Notwithstanding subsection (1) of this section:

13 (a) If a municipality was authorized to impose taxes under this
14 chapter or RCW 67.40.100 or both with a total rate exceeding four
15 percent before July 27, 1997, such total authorization shall continue
16 through January 31, 1999, and thereafter the municipality may impose a
17 tax under this section at a rate not exceeding the rate actually
18 imposed by the municipality on January 31, 1999.

19 (b) If a city or town, other than a municipality imposing a tax
20 under (a) of this subsection, is located in a county that imposed taxes
21 under this chapter with a total rate of four percent or more on January
22 1, 1997, the city or town may not impose a tax under this section.

23 (c) If a city has a population of four hundred thousand or more and
24 is located in a county with a population of one million or more, the
25 rate of tax imposed under this chapter by the city shall not exceed the
26 lesser of four percent or a rate that, when combined with all other
27 taxes imposed upon sales of lodging in the municipality under this
28 chapter and chapters 36.100, 67.40, 82.08, and 82.14 RCW, equals
29 fifteen and two-tenths percent.

30 (d) If a municipality was authorized to impose taxes under this
31 chapter or RCW 67.40.100, or both, at a rate equal to six percent
32 before January 1, 1998, the municipality may impose a tax under this
33 section at a rate not exceeding the rate actually imposed by the
34 municipality on January 1, 1998.

35 (3) Any county ordinance or resolution adopted under this section
36 shall contain a provision allowing a credit against the county tax for

1 the full amount of any city or town tax imposed under this section upon
2 the same taxable event.

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