
SUBSTITUTE HOUSE BILL 3138

State of Washington

60th Legislature

2008 Regular Session

By House Finance (originally sponsored by Representatives DeBolt, Williams, Kessler, Hunt, Blake, Alexander, Bailey, Sullivan, Pearson, Kristiansen, Roach, VanDeWege, Haler, Kelley, Dunn, Kretz, Ross, Kenney, Skinner, Herrera, and Ormsby)

READ FIRST TIME 02/12/08.

1 AN ACT Relating to providing tax relief for property damaged as a
2 result of a natural disaster; adding a new section to chapter 82.08
3 RCW; adding a new section to chapter 82.12 RCW; creating a new section;
4 providing expiration dates; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
7 determine how to best provide a temporary sales and use tax exemption
8 on all purchases by individuals who suffered property damage in the
9 flood, but who have already paid for the repair, replacement, or
10 reconstruction of the property.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.08 RCW
12 to read as follows:

13 (1) The tax levied by RCW 82.08.020 does not apply to sales of
14 tangible personal property and labor and services used for
15 constructing, repairing, decorating, or rebuilding a residence or
16 associated structures that was owned and occupied by an eligible person
17 as a principal place of residence during calendar year 2007, when the

1 construction, repair, decorating, or rebuilding is as a result of flood
2 damage occurring during December 2007.

3 (2) For the purposes of this section, the following definitions and
4 restrictions apply:

5 (a) "Associated structures" includes, but is not limited to,
6 outbuildings, barns, storage sheds, or other structures that serve the
7 principal place of residence.

8 (b) "Eligible person" means a person residing in a county
9 designated by the president of the United States as a disaster area and
10 is eligible to receive individual assistance from the federal emergency
11 management agency.

12 (c) The terms "residence," "owned," and "occupied" have meanings
13 consistent with their meanings in RCW 84.36.379 through 84.36.389.

14 (d) The exemption under this section is available only if the buyer
15 provides the seller with an exemption certificate in a form and manner
16 prescribed by the department. The department must immediately issue an
17 exemption certificate to all eligible persons that have already applied
18 for and received individual assistance from the federal emergency
19 management agency.

20 (e) The total amount of the exemption for an eligible person may
21 not exceed two hundred thousand dollars of tangible personal property
22 and labor and services.

23 (3) This section expires June 30, 2009.

24 NEW SECTION. **Sec. 3.** A new section is added to chapter 82.12 RCW
25 to read as follows:

26 (1) The provisions of this chapter do not apply with respect to the
27 use of tangible personal property and labor and services for
28 constructing, repairing, decorating, or rebuilding a residence that was
29 owned and occupied by an eligible person as a principal place of
30 residence during calendar year 2007, when the construction, repair,
31 decorating, or rebuilding is as a result of flood damage occurring
32 during December 2007.

33 (2) The definitions and restrictions in section 2 of this act apply
34 to this section.

35 (3) This section expires June 30, 2009.

1 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 immediately.

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