

SENATE BILL REPORT

SB 6855

As Passed Senate, March 10, 2010

Title: An act relating to exempting community centers from property taxation and imposing leasehold excise taxes on such property.

Brief Description: Exempting community centers from property taxation and imposing leasehold excise taxes on such property.

Sponsors: Senators McDermott and Kohl-Welles.

Brief History:

Committee Activity: Ways & Means: 2/22/10, 3/08/10 [DP, w/oRec].
Passed Senate: 3/10/10, 39-7.

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Fairley, Hobbs, Keiser, Kline, Kohl-Welles, McDermott, Murray, Pridemore and Rockefeller.

Minority Report: That it be referred without recommendation.

Signed by Senators Zarelli, Ranking Minority Member; Brandland, Honeyford, Parlette and Schoesler.

Staff: Dean Carlson (786-7305)

Background: All real and personal property in Washington State is subject to property tax, unless a specific exemption is provided by law. The tax is based on the assessed value of the property. The constitution provides for an exemption on all governmental properties.

The leasehold excise tax is a tax in lieu of the property tax. It applies to interests in publicly owned real or personal property. This typically involves a private lease of public property often when buildings or other improvements have been added. The leasehold interest in the public land or publicly owned structures is subject to the leasehold tax, while the privately owned improvements are subject to the regular property tax. In most instances, the tax is measured by contract rent or the amount paid for use of the public property. The rate of the tax is 12.84 percent. Cities and counties may levy a local leasehold excise tax on leasehold

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interests in public property within their jurisdictions at a rate up to a maximum of 6 percent, thus reducing the state rate on such property to 6.84 percent. The tax is collected by public entities that lease property to private lessees and is reported by the lessor to the department on a quarterly basis.

Summary of Bill: A property tax exemption is provided for certain community centers. The property tax exemption is in effect for 40 years from the time of acquisition.

The leasehold excise tax applies to the rental of property from a community center that is otherwise exempt from property taxation under this law.

Community centers effected by this legislation are those that include a building or buildings determined to be surplus to the needs of a school district and purchased by a nonprofit organization for the purpose of converting them into community facilities for the delivery of nonresidential coordinated services for community members. The community center may make space available to businesses, individuals, or other parties through the loan or rental of space in or on the property.

Appropriation: None.

Fiscal Note: Available.

[OFM requested ten-year cost projection pursuant to I-960.]

Committee/Commission/Task Force Created: No.

Effective Date: The bill applies to taxes levied for collection in 2011 and each year thereafter.

Staff Summary of Public Testimony: None.

Persons Testifying: No one.