
HOUSE BILL 1977

State of Washington 61st Legislature 2009 Regular Session

By Representatives Santos, Sullivan, and Rolfes

Read first time 02/04/09. Referred to Committee on Finance.

1 AN ACT Relating to a sales and use tax exemption for home heating
2 fuel; adding a new section to chapter 82.08 RCW; and adding a new
3 section to chapter 82.12 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 82.08 RCW
6 to read as follows:

7 (1) Subject to the conditions, requirements, and limitations of
8 this section, the tax levied by RCW 82.08.020 does not apply to the
9 sale of home heating fuel to an eligible buyer if the home heating fuel
10 is used to heat the buyer's residence.

11 (2) The exemption authorized in subsection (1) of this section must
12 be reduced as provided in this subsection based on the price of home
13 heating fuel as reported by the federal energy information
14 administration. The department must use the United States No. 2
15 distillate residential price by all sellers for the month prior to the
16 month in which the purchase occurred. A person is entitled to an
17 exemption equal to the state and local sales tax that would otherwise

1 be imposed on the fuel multiplied by the following percentage:

2

3 If the price of home heating fuel is:

The percentage is:

4 Less than \$2.30 per gallon	zero
5 Equal to or greater than \$2.30, but less than \$2.35	10%
6 Equal to or greater than \$2.35, but less than \$2.40	20%
7 Equal to or greater than \$2.40, but less than \$2.45	30%
8 Equal to or greater than \$2.45, but less than \$2.50	40%
9 Equal to or greater than \$2.50, but less than \$2.55	50%
10 Equal to or greater than \$2.55, but less than \$2.60	60%
11 Equal to or greater than \$2.60, but less than \$2.65	70%
12 Equal to or greater than \$2.65, but less than \$2.70	80%
13 Equal to or greater than \$2.70, but less than \$2.75	90%
14 Equal to or greater than \$2.75	100%

15 (3) The exemption under this section must be in the form of a
16 refund. Sellers must collect tax on sales subject to this exemption.
17 The buyer must apply for a refund directly from the department in a
18 form and manner prescribed by the department. The department may
19 require the buyer to submit documentation necessary to verify
20 eligibility for the exemption.

21 (4) The definitions in this subsection apply to this section.

22 (a) "Combined disposable income" means the disposable income of the
23 person claiming the exemption, plus the disposable income of his or her
24 spouse or domestic partner, and the disposable income of each cotenant
25 occupying the residence for the assessment year, for the prior calendar
26 year.

27 (b) "Eligible buyer" means a person at least sixty years of age at
28 the time the exemption is claimed with a combined disposable income of
29 fifty thousand dollars or less.

30 (c) "Disposable income" means the adjusted gross income as defined
31 in the federal internal revenue code, as amended prior to January 1,
32 2009, or such subsequent date as the director may provide by rule
33 consistent with the purpose of this section.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.12 RCW
2 to read as follows:

3 (1) The provisions of this chapter do not apply with respect to the
4 use of home heating fuel by an eligible buyer if the home heating fuel
5 is used to heat the buyer's residence.

6 (2) The conditions, requirements, limitations, and definitions in
7 section 1 of this act apply to this section.

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