
HOUSE BILL 2962

State of Washington

61st Legislature

2010 Regular Session

By Representatives Probst and Hunter

Read first time 01/19/10. Referred to Committee on Local Government & Housing.

1 AN ACT Relating to allowing county treasurers to use electronic
2 bill presentment and payment that includes an automatic electronic
3 payment option for property taxes; amending RCW 84.56.020; adding a new
4 section to chapter 84.04 RCW; and adding a new section to chapter 84.56
5 RCW.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 84.04 RCW
8 to read as follows:

9 "Electronic bill presentment and payment" means statements,
10 invoices, or bills that are created, delivered, and paid using the
11 internet. The term includes an automatic electronic payment from a
12 person's checking account, debit account, or credit card.

13 **Sec. 2.** RCW 84.56.020 and 2008 c 181 s 510 are each amended to
14 read as follows:

15 (1) The county treasurer (~~shall~~) must be the receiver and
16 collector of all taxes extended upon the tax rolls of the county,
17 whether levied for state, county, school, bridge, road, municipal or
18 other purposes, and also of all fines, forfeitures or penalties

1 received by any person or officer for the use of his or her county. No
2 treasurer (~~shall~~) may accept tax payments or issue receipts for the
3 same until the treasurer has completed the tax roll for the current
4 year's collection and provided notification of the completion of the
5 roll. Notification may be accomplished electronically, by posting a
6 notice in the office, or through other written communication as
7 determined by the treasurer. All taxes upon real and personal property
8 made payable by the provisions of this title (~~shall be~~) are due and
9 payable to the treasurer on or before the thirtieth day of April and,
10 except as provided in this section, shall be delinquent after that
11 date.

12 (2) Each tax statement (~~shall~~) must include a notice that checks
13 for payment of taxes may be made payable to "Treasurer of
14 County" or other appropriate office, but tax statements (~~shall~~) may
15 not include any suggestion that checks may be made payable to the name
16 of the individual holding the office of treasurer nor any other
17 individual.

18 (3) When the total amount of tax or special assessments on personal
19 property or on any lot, block or tract of real property payable by one
20 person is fifty dollars or more, and if one-half of such tax be paid on
21 or before the thirtieth day of April, the remainder of such tax (~~shall~~
22 ~~be~~) is due and payable on or before the thirty-first day of October
23 following and shall be delinquent after that date.

24 (4) When the total amount of tax or special assessments on any lot,
25 block or tract of real property or on any mobile home payable by one
26 person is fifty dollars or more, and if one-half of such tax be paid
27 after the thirtieth day of April but before the thirty-first day of
28 October, together with the applicable interest and penalty on the full
29 amount of tax payable for that year, the remainder of such tax (~~shall~~
30 ~~be~~) is due and payable on or before the thirty-first day of October
31 following and (~~shall be~~) is delinquent after that date.

32 (5) Delinquent taxes under this section are subject to interest at
33 the rate of twelve percent per annum computed on a monthly basis on the
34 full year amount of tax unpaid from the date of delinquency until paid.
35 Interest (~~shall~~) must be calculated at the rate in effect at the time
36 of payment of the tax, regardless of when the taxes were first
37 delinquent. In addition, delinquent taxes under this section are
38 subject to penalties as follows:

1 (a) A penalty of three percent of the full year amount of tax
2 unpaid (~~shall be~~) is assessed on the tax delinquent on June 1st of
3 the year in which the tax is due.

4 (b) An additional penalty of eight percent (~~shall be~~) is assessed
5 on the amount of tax delinquent on December 1st of the year in which
6 the tax is due.

7 (6) Subsection (5) of this section notwithstanding, no interest or
8 penalties may be assessed during any period of armed conflict on
9 delinquent taxes imposed on the personal residences owned by active
10 duty military personnel who are participating as part of one of the
11 branches of the military involved in the conflict and assigned to a
12 duty station outside the territorial boundaries of the United States.

13 (7) During a state of emergency declared under RCW 43.06.010(12),
14 the county treasurer, on his or her own motion or at the request of any
15 taxpayer affected by the emergency, may grant extensions of the due
16 date of any taxes payable under this section as the treasurer deems
17 proper.

18 (8) For purposes of this chapter, "interest" means both interest
19 and penalties.

20 (9) All collections of interest on delinquent taxes (~~shall~~) must
21 be credited to the county current expense fund; but the cost of
22 foreclosure and sale of real property, and the fees and costs of
23 distraint and sale of personal property, for delinquent taxes,
24 (~~shall~~) must, when collected, be credited to the operation and
25 maintenance fund of the county treasurer prosecuting the foreclosure or
26 distraint or sale; and (~~shall~~) must be used by the county treasurer
27 as a revolving fund to defray the cost of further foreclosure,
28 distraint and sale for delinquent taxes without regard to budget
29 limitations.

30 (10)(a) For the purposes of this chapter, as provided in this
31 chapter and RCW 36.29.190, a county treasurer is authorized, but not
32 required, to collect taxes, assessments, fees, rates, and charges by
33 electronic bill presentment and payment.

34 (b) Electronic bill presentment and payment may be monthly or such
35 other periodic basis as the county treasurer deems proper as a
36 prepayment and held in escrow by the county treasurer until all
37 prepayments are paid in full by the due date as defined in this
38 section.

1 (c) The county treasurer must provide by electronic means a payment
2 agreement which must be approved by the taxpayer prior to the sending
3 of an electronic bill.

4 (d) All taxes upon real and personal property made payable by the
5 provisions of this title are due and payable to the county treasurer on
6 or before the thirtieth day of April and are delinquent after that
7 date. The remainder of such tax is due and payable on or before the
8 thirty-first day of October following and is delinquent after that
9 date. All other assessments, fees, rates, and charges are delinquent
10 after the due date.

11 (e) Any administrative savings and any investment earnings on
12 prepayments must be paid to the credit of a special interest account in
13 the operation and maintenance account of the state treasury to be used
14 without budget limitation by the county treasurer only for the payment
15 of expenses incurred in creating, administering, or expanding the
16 system for collecting prepayments.

17 NEW SECTION. Sec. 3. A new section is added to chapter 84.56 RCW
18 to read as follows:

19 (1) To the extent that funds are collected, the department of
20 revenue must administer a grant program for counties to assist in the
21 development and implementation of an electronic bill presentment and
22 payment system and to assist in complying with the requirements of RCW
23 84.56.020(10).

24 (2) Subject to the limits in subsection (3) of this section, the
25 amount of the grant is equal to the amount paid by a county to:

26 (a) Purchase computer hardware or software, or to repair or upgrade
27 existing computer hardware or software, used for the electronic bill
28 presentment and payment system to collect taxes, assessments, fees,
29 rates, and charges; and

30 (b) Make changes to existing software that are necessary to comply
31 with the requirements of RCW 84.56.020(10).

32 (3) No county is eligible for grants under this section totaling
33 more than one hundred thousand dollars.

34 (4) No more than three million nine hundred thousand dollars in
35 grants may be awarded under this section.

36 (5) The source of funds for this grant program is the electronic

1 bill presentment and payment technology grant account created in
2 subsection (6) of this section.

3 (6) The electronic bill presentment and payment technology grant
4 account is created in the state treasury. Moneys in the account may be
5 spent only after appropriation. After July 1, 2011, expenditures from
6 the account may be used only for grants authorized under RCW
7 84.56.020(10) in the manner provided for in this section and RCW
8 84.56.020(10).

9 (7) Any funds remaining in the electronic bill presentment and
10 payment technology grant account on July 1, 2016, must be deposited in
11 the general fund.

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