
SENATE BILL 5482

State of Washington 62nd Legislature 2011 Regular Session

By Senators Kohl-Welles, Hobbs, Eide, Keiser, Fraser, Prentice, and Conway

Read first time 01/26/11. Referred to Committee on Financial Institutions, Housing & Insurance.

1 AN ACT Relating to authorizing existing funding to house victims of
2 human trafficking and their families; and amending RCW 36.22.178,
3 36.22.179, and 36.22.1791.

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

5 **Sec. 1.** RCW 36.22.178 and 2007 c 427 s 1 are each amended to read
6 as follows:

7 The surcharge provided for in this section shall be named the
8 affordable housing for all surcharge.

9 (1) Except as provided in subsection (3) of this section, a
10 surcharge of ten dollars per instrument shall be charged by the county
11 auditor for each document recorded, which will be in addition to any
12 other charge authorized by law. The county may retain up to five
13 percent of these funds collected solely for the collection,
14 administration, and local distribution of these funds. Of the
15 remaining funds, forty percent of the revenue generated through this
16 surcharge will be transmitted monthly to the state treasurer who will
17 deposit the funds into the affordable housing for all account created
18 in RCW 43.185C.190. The department of (~~community, trade, and economic~~
19 ~~development~~) commerce must use these funds to provide housing and

1 shelter for extremely low-income households, including but not limited
2 to housing for victims of human trafficking and their families and
3 grants for building operation and maintenance costs of housing projects
4 or units within housing projects that are affordable to extremely low-
5 income households with incomes at or below thirty percent of the area
6 median income, and that require a supplement to rent income to cover
7 ongoing operating expenses.

8 (2) All of the remaining funds generated by this surcharge will be
9 retained by the county and be deposited into a fund that must be used
10 by the county and its cities and towns for eligible housing activities
11 as described in this subsection that serve very low-income households
12 with incomes at or below fifty percent of the area median income. The
13 portion of the surcharge retained by a county shall be allocated to
14 eligible housing activities that serve extremely low and very low-
15 income households in the county and the cities within a county
16 according to an interlocal agreement between the county and the cities
17 within the county consistent with countywide and local housing needs
18 and policies. A priority must be given to eligible housing activities
19 that serve extremely low-income households with incomes at or below
20 thirty percent of the area median income. Eligible housing activities
21 to be funded by these county funds are limited to:

22 (a) Acquisition, construction, or rehabilitation of housing
23 projects or units within housing projects that are affordable to very
24 low-income households with incomes at or below fifty percent of the
25 area median income, including units for homeownership, rental units,
26 seasonal and permanent farm worker housing units, units reserved for
27 victims of human trafficking and their families, and single room
28 occupancy units;

29 (b) Supporting building operation and maintenance costs of housing
30 projects or units within housing projects eligible to receive housing
31 trust funds, that are affordable to very low-income households with
32 incomes at or below fifty percent of the area median income, and that
33 require a supplement to rent income to cover ongoing operating
34 expenses;

35 (c) Rental assistance vouchers for housing units that are
36 affordable to very low-income households with incomes at or below fifty
37 percent of the area median income, including rental housing vouchers
38 for victims of human trafficking and their families, to be administered

1 by a local public housing authority or other local organization that
2 has an existing rental assistance voucher program, consistent with or
3 similar to the United States department of housing and urban
4 development's section 8 rental assistance voucher program standards;
5 and

6 (d) Operating costs for emergency shelters and licensed overnight
7 youth shelters.

8 (3) The surcharge imposed in this section does not apply to
9 assignments or substitutions of previously recorded deeds of trust.

10 **Sec. 2.** RCW 36.22.179 and 2009 c 462 s 1 are each amended to read
11 as follows:

12 (1) In addition to the surcharge authorized in RCW 36.22.178, and
13 except as provided in subsection (2) of this section, an additional
14 surcharge of ten dollars shall be charged by the county auditor for
15 each document recorded, which will be in addition to any other charge
16 allowed by law. During the 2009-11 and 2011-13 biennia, the surcharge
17 shall be thirty dollars. The funds collected pursuant to this section
18 are to be distributed and used as follows:

19 (a) The auditor shall retain two percent for collection of the fee,
20 and of the remainder shall remit sixty percent to the county to be
21 deposited into a fund that must be used by the county and its cities
22 and towns to accomplish the purposes of chapter 484, Laws of 2005, six
23 percent of which may be used by the county for administrative costs
24 related to its homeless housing plan, and the remainder for programs
25 which directly accomplish the goals of the county's local homeless
26 housing plan, except that for each city in the county which elects as
27 authorized in RCW 43.185C.080 to operate its own local homeless housing
28 program, a percentage of the surcharge assessed under this section
29 equal to the percentage of the city's local portion of the real estate
30 excise tax collected by the county shall be transmitted at least
31 quarterly to the city treasurer, without any deduction for county
32 administrative costs, for use by the city for program costs which
33 directly contribute to the goals of the city's local homeless housing
34 plan; of the funds received by the city, it may use six percent for
35 administrative costs for its homeless housing program.

36 (b) The auditor shall remit the remaining funds to the state
37 treasurer for deposit in the home security fund account. The

1 department may use twelve and one-half percent of this amount for
2 administration of the program established in RCW 43.185C.020, including
3 the costs of creating the statewide homeless housing strategic plan,
4 measuring performance, providing technical assistance to local
5 governments, and managing the homeless housing grant program. The
6 remaining eighty-seven and one-half percent is to be used by the
7 department to:

8 (i) Provide housing and shelter for homeless people including, but
9 not limited to: Grants to operate, repair, and staff shelters; grants
10 to operate transitional housing; partial payments for rental
11 assistance; consolidated emergency assistance; overnight youth
12 shelters; grants and vouchers designated for victims of human
13 trafficking and their families; and emergency shelter assistance; and

14 (ii) Fund the homeless housing grant program.

15 (2) The surcharge imposed in this section does not apply to (a)
16 assignments or substitutions of previously recorded deeds of trust, or
17 (b) documents recording a birth, marriage, divorce, or death or any
18 documents otherwise exempted from a recording fee under state law.

19 **Sec. 3.** RCW 36.22.1791 and 2007 c 427 s 5 are each amended to read
20 as follows:

21 (1) In addition to the surcharges authorized in RCW 36.22.178 and
22 36.22.179, and except as provided in subsection (2) of this section,
23 the county auditor shall charge an additional surcharge of eight
24 dollars for each document recorded, which is in addition to any other
25 charge allowed by law. The funds collected under this section are to
26 be distributed and used as follows:

27 (a) The auditor shall remit ninety percent to the county to be
28 deposited into a fund six percent of which may be used by the county
29 for administrative costs related to its homeless housing plan, and the
30 remainder for programs that directly accomplish the goals of the
31 county's local homeless housing plan, except that for each city in the
32 county that elects, as authorized in RCW 43.185C.080, to operate its
33 own local homeless housing program, a percentage of the surcharge
34 assessed under this section equal to the percentage of the city's local
35 portion of the real estate excise tax collected by the county must be
36 transmitted at least quarterly to the city treasurer for use by the

1 city for program costs that directly contribute to the goals of the
2 city's local homeless housing plan.

3 (b) The auditor shall remit the remaining funds to the state
4 treasurer for deposit in the home security fund account. The
5 department may use the funds for administering the program established
6 in RCW 43.185C.020, including the costs of creating and updating the
7 statewide homeless housing strategic plan, measuring performance,
8 providing technical assistance to local governments, and managing the
9 homeless housing grant program. Remaining funds may also be used to:

10 (i) Provide housing and shelter for homeless people including, but
11 not limited to: Grants to operate, repair, and staff shelters; grants
12 to operate transitional housing; partial payments for rental
13 assistance; consolidated emergency assistance; overnight youth
14 shelters; grants and vouchers designated for victims of human
15 trafficking and their families; and emergency shelter assistance; and

16 (ii) Fund the homeless housing grant program.

17 (2) The surcharge imposed in this section does not apply to
18 assignments or substitutions of previously recorded deeds of trust.

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