

SHB 1287 - H AMD TO H-4234.1 720

By Representative Holy

FAILED 02/14/2014

1 On page 7, after line 16, insert the following:

2 "(4) Regarding a lease of property owned by a federally recognized
3 Indian tribe that is exempt from property tax under RCW 84.36.010, if
4 a lessee has failed to pay the tax imposed by this chapter for a
5 period of at least twelve months, the department may subject the
6 property to a payment in lieu of leasehold excise taxes, under the
7 terms and qualifications of section 8 of this act, for the remainder
8 of the term of the lease."

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10 On page 10, line 3, after "(2)" insert "If there is a taxable
11 leasehold interest in the property otherwise described in subsection
12 (1) of this section, the department may subject the property to
13 payment in lieu of taxes for the remainder of the term of the lease,
14 if a lessee has failed to pay the leasehold excise tax for a period of
15 at least twelve months. Notwithstanding subsections (3) and (4) of
16 this section, the amount payable under this subsection must be the
17 same as the amount of the leasehold excise tax and must be distributed
18 to the state, county, and local taxing districts in the same manner.
19 Nothing in this subsection relieves the lessee from any debt
20 obligations to the lessor-tribe.

21 (3)"

22

23 Renumber the remaining subsection consecutively and correct any
24 internal references accordingly.

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EFFECT: Allows the Department of Revenue to subject tribally
owned property to the PILT mechanism if the lessee defaults on
paying the leasehold excise tax for at least one year.

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