

SB 5805 - S AMD 103
By Senator Hargrove

NOT CONSIDERED

1 On page 6, after line 13, insert the following:

2 NEW SECTION. **Sec. 5.** When a development project with investment
3 in basic commodity transportation has been designated a project of
4 statewide significance by the department of commerce under RCW
5 43.157.030 and the project involves the severing of minerals from the
6 lands or waters within a county:

7 (1) The legislative body of such a county, by ordinance, may impose
8 an excise tax upon the privilege of severing minerals from the land or
9 waters within the county.

10 (2) The tax is imposed upon the entire production in the county
11 regardless of the place of sale or that delivery may be made outside
12 the county or the state. The tax authorized in this section is in
13 addition to any other taxes authorized by law.

14 (3) The tax imposed by this section on the severance of minerals is
15 the liability of the producer.

16 (4) The rate of the tax imposed may be no more than five percent.

17 (5) The measure of the tax is the value of the minerals.

18 NEW SECTION. **Sec. 6.** The definitions in this section apply
19 throughout this chapter unless the context clearly requires otherwise.

20 (1) "Mineral" means rock, stone, sand, and gravel.

21 (2) "Person" has the same meaning as provided in RCW 82.04.030.

22 (3) "Producer" means any person subject to tax under chapter 82.04
23 RCW who, from the person's own land or from the land of another under
24 a right or license granted by lease or other contract, either directly
25 or by contracting with others for the necessary labor or mechanical
26 services, severs minerals for sale or for commercial or industrial use.

27 (4) "Severance" or "sever" means the taking of or producing from
28 the lands or waters of this state any mineral by whatever means used.

1 (5) "Value" means "value of products" as determined under RCW
2 82.04.450.

3 NEW SECTION. **Sec. 7.** Sections 5 and 6 of this act constitute a
4 new chapter in Title 82 RCW."

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5 On page 1, line 3 of the title, after "43.157.030;" strike the
6 remainder of the title and insert "reenacting and amending RCW
7 43.157.010; and adding a new chapter to Title 82 RCW."

EFFECT: Authorizes a county, which has a development project with investment in basic commodity transportation that has been designated a project of statewide significance and involves the severing of minerals from the lands or waters within such county, to impose a mineral severance tax.

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