
HOUSE BILL 1004

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Moeller, Pedersen, Blake, Hunt, Clibborn, Green, Van De Wege, Fitzgibbon, Lytton, Appleton, Stanford, and Pollet

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1 AN ACT Relating to payment of property taxes; amending RCW
2 84.56.020; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that it is difficult
5 for many property owners to pay property taxes under the current system
6 where past due property tax payments must be paid in full, including
7 penalties and interest. The legislature further finds that providing
8 counties and property owners some flexibility in structuring past due
9 property tax payments may result in a more stable source of revenues
10 for local governments and provide some relief for property owners.

11 **Sec. 2.** RCW 84.56.020 and 2010 c 200 s 1 are each amended to read
12 as follows:

13 (1) The county treasurer must be the receiver and collector of all
14 taxes extended upon the tax rolls of the county, whether levied for
15 state, county, school, bridge, road, municipal or other purposes, and
16 also of all fines, forfeitures or penalties received by any person or
17 officer for the use of his or her county. No treasurer may accept tax
18 payments or issue receipts for the same until the treasurer has

1 completed the tax roll for the current year's collection and provided
2 notification of the completion of the roll. Notification may be
3 accomplished electronically, by posting a notice in the office, or
4 through other written communication as determined by the treasurer.
5 All taxes upon real and personal property made payable by the
6 provisions of this title are due and payable to the treasurer on or
7 before the thirtieth day of April and, except as provided in this
8 section, shall be delinquent after that date.

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

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

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

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

35 (a) A penalty of three percent of the full year amount of tax
36 unpaid is assessed on the tax delinquent on June 1st of the year in
37 which the tax is due.

1 (b) An additional penalty of eight percent is assessed on the
2 amount of tax delinquent on December 1st of the year in which the tax
3 is due.

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

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

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

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

26 (10)(a) For purposes of this chapter, and in accordance with this
27 section and RCW 36.29.190, the treasurer may collect taxes,
28 assessments, fees, rates, penalties, interest, and charges by
29 electronic bill presentment and payment. Electronic bill presentment
30 and payment may be utilized as an option by the taxpayer, but the
31 treasurer may not require the use of electronic bill presentment and
32 payment. Electronic bill presentment and payment may be on a monthly
33 or other periodic basis as the treasurer deems proper for past due
34 payments or prepayments. All prepayments must be paid in full by the
35 due date specified in (c) of this subsection. Payments on past due
36 taxes must provide for collection of one year's past due penalties,
37 interest, and taxes within a twelve-month period.

1 (b) The treasurer must provide, by electronic means, a payment
2 agreement that may include past due payment or prepayment collection
3 charges. The payment agreement must be signed by the taxpayer and
4 treasurer prior to the sending of an electronic bill.

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

12 (d) A county legislative authority may authorize payment of past
13 due property taxes, penalties, and interest under this chapter by
14 electronic funds transfer payments on a monthly basis. Monthly
15 payments must first be applied to penalties and interest. Delinquent
16 taxes are subject to interest and penalties, as provided in subsection
17 (5) of this section.

18 (e) The treasurer must pay any collection costs, investment
19 earnings, or both on past due payments or prepayments to the credit of
20 a county treasurer service fund account to be created and used only for
21 the payment of expenses incurred by the treasurer, without limitation,
22 in administering the system for collecting prepayments.

23 (11) For purposes of this section unless the context clearly
24 requires otherwise, the following definitions apply:

25 (a) "Electronic bill presentment and payment" means statements,
26 invoices, or bills that are created, delivered, and paid using the
27 internet. The term includes an automatic electronic payment from a
28 person's checking account, debit account, or credit card.

29 (b) "Internet" has the same meaning as provided in RCW 19.270.010.

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