
HOUSE BILL 2118

State of Washington

63rd Legislature

2014 Regular Session

By Representatives Wilcox, Reykdal, Magendanz, Bergquist, Johnson, Kretz, S. Hunt, Vick, and Freeman

Prefiled 12/11/13. Read first time 01/13/14. Referred to Committee on Finance.

1 AN ACT Relating to student parking fees collected by school
2 districts; amending RCW 28A.325.010 and 28A.335.060; adding a new
3 section to chapter 82.08 RCW; adding a new section to chapter 82.12
4 RCW; creating a new section; and providing an expiration date.

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

6 NEW SECTION. **Sec. 1.** (1) It is the intent of this act to provide
7 a retail sales tax exemption to public high school students who are
8 required by their school to pay a fee to park an automobile or other
9 vehicle on school property during normal school hours. The legislature
10 further intends for this exemption to address taxpayer confusion of
11 school districts that currently charge student parking fees, which are
12 exempt from business and occupation tax, but not collecting retail
13 sales tax from students. The legislature further intends to provide
14 school districts the ability to deposit parking fees paid by students
15 in the associated student body program fund as an additional revenue
16 source to support student body activities.

17 (2) It is the intent of this act to provide a sales tax exemption
18 on public high school student parking fees for the purpose described
19 under RCW 82.32.808(2)(e). The legislature further intends to review

1 the tax exemption and its actual fiscal impact on state revenues to
2 determine if the fiscal impact to state revenues reasonably conforms to
3 the fiscal estimate in the fiscal note for this act.

4 **Sec. 2.** RCW 28A.325.010 and 1977 ex.s. c 170 s 1 are each amended
5 to read as follows:

6 (1) The board of directors of any common school district may
7 establish and collect a fee from students and nonstudents as a
8 condition to their attendance at any optional noncredit extracurricular
9 event of the district which is of a cultural, social, recreational, or
10 athletic nature(~~(:—PROVIDED, That))~~). However, in so establishing such
11 fee or fees, the district ((shall)) must adopt regulations for waiving
12 and reducing such fees in the cases of those students whose families,
13 by reason of their low income, would have difficulty in paying the
14 entire amount of such fees and may likewise waive or reduce such fees
15 for nonstudents of the age of sixty-five or over who, by reason of
16 their low income, would have difficulty in paying the entire amount of
17 such fees. An optional comprehensive fee may be established and
18 collected for any combination or all of such events or, in the
19 alternative, a fee may be established and collected as a condition to
20 attendance at any single event. In addition, a school district board
21 of directors may establish and collect a fee from students as a
22 condition of parking an automobile or other vehicle on school property.

23 (2)(a) Except as provided under (b) of this subsection, fees
24 collected pursuant to this section ((shall)) must be deposited in the
25 associated student body program fund of the school district, and may be
26 expended to defray the costs of optional noncredit extracurricular
27 events of such a cultural, social, recreational, or athletic nature, or
28 to otherwise support the activities and programs of associated student
29 bodies.

30 (b) All or a portion of the fees collected from students as a
31 condition of parking an automobile or other vehicle may be deposited in
32 the associated student body program fund of the school district. Any
33 fees not deposited in the associated student body program fund must be
34 deposited as otherwise provided under RCW 28A.335.060.

35 **Sec. 3.** RCW 28A.335.060 and 2004 c 45 s 1 are each amended to read
36 as follows:

1 Each school district's board of directors (~~shall~~) must deposit
2 moneys derived from the lease, rental, or occasional use of surplus
3 school property as follows:

4 (1) Moneys derived from real property (~~shall~~) must be deposited
5 into the district's debt service fund and/or capital projects fund,
6 except for:

7 (a) Moneys required to be expended for general maintenance,
8 utility, insurance costs, and any other costs associated with the lease
9 or rental of such property, which moneys (~~shall~~) must be deposited in
10 the district's general fund; (~~or~~)

11 (b) At the option of the board of directors, after evaluating the
12 sufficiency of the school district's capital projects fund for purposes
13 of meeting demands for new construction and improvements, moneys
14 derived from the lease or rental of real property may be deposited into
15 the district's general fund to be used exclusively for nonrecurring
16 costs related to operating school facilities, including but not limited
17 to expenses for maintenance; or

18 (c) Moneys collected from students as a condition of parking an
19 automobile or other vehicle on school property may be deposited in the
20 associated student body program fund as provided under RCW 28A.325.010;

21 (2) Moneys derived from pupil transportation vehicles (~~shall~~)
22 must be deposited in the district's transportation vehicle fund;

23 (3) Moneys derived from other personal property (~~shall~~) must be
24 deposited in the district's general fund.

25 NEW SECTION. Sec. 4. A new section is added to chapter 82.08 RCW
26 to read as follows:

27 (1) The tax levied by RCW 82.08.020 does not apply to sales of
28 student parking fees authorized under RCW 28A.325.010.

29 (2) For sellers who electronically file their taxes, the department
30 must provide a separate tax reporting line for exemption amounts
31 claimed under this section.

32 NEW SECTION. Sec. 5. A new section is added to chapter 82.12 RCW
33 to read as follows:

34 The provisions of this chapter do not apply with respect to the use

1 of student parking fees authorized under RCW 28A.325.010.

2 NEW SECTION. **Sec. 6.** This act expires July 1, 2024.

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