
SUBSTITUTE HOUSE BILL 2593

State of Washington

63rd Legislature

2014 Regular Session

By House Local Government (originally sponsored by Representatives Stonier, Harris, Wylie, Ryu, Fey, and Pike)

READ FIRST TIME 02/05/14.

1 AN ACT Relating to local government treasury practices and
2 procedures; and amending RCW 36.29.190 and 39.72.010.

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

4 **Sec. 1.** RCW 36.29.190 and 2003 c 23 s 8 are each amended to read
5 as follows:

6 ~~((County treasurers are authorized to accept credit cards, charge
7 cards, debit cards, smart cards, stored value cards, federal wire, and
8 automatic clearinghouse system transactions, or other electronic
9 communication, for any payment of any kind including, but not limited
10 to, taxes, fines, interest, penalties, special assessments, fees,
11 rates, charges, or moneys due counties. A payer desiring to pay by a
12 credit card, charge card, debit card, smart card, stored value card,
13 federal wire, automatic clearinghouse system, or other electronic
14 communication shall bear the cost of processing the transaction in an
15 amount determined by the treasurer, unless the county legislative
16 authority or the legislative authority of a district where the county
17 treasurer serves as ex officio treasurer finds that it is in the best
18 interests of the county or district to not charge transaction
19 processing costs for all payment transactions made for a specific~~

1 ~~category of nontax payments received by the county treasurer,~~
2 ~~including, but not limited to, fines, interest not associated with~~
3 ~~taxes, penalties not associated with taxes, special assessments, fees,~~
4 ~~rates, and charges. The treasurer's cost determination shall be based~~
5 ~~upon costs incurred by the treasurer and may not, in any event, exceed~~
6 ~~the additional direct costs incurred by the county to accept the~~
7 ~~specific form of payment utilized by the payer.)~~)

8 (1) County treasurers are authorized to accept electronic payments
9 for payment of any kind including, but not limited to, payment for
10 taxes, fines, interest, penalties, special assessments, fees, rates,
11 charges, or moneys due counties.

12 (a) The county treasurer must determine the amount of the
13 transaction processing cost for electronic payments. The county
14 treasurer's determination must be based upon costs incurred by the
15 treasurer and may not, in any event, exceed the additional direct costs
16 incurred by the county to accept the specific form of payment utilized
17 by the payer.

18 (b) A payer using electronic payment must pay the transaction
19 processing cost, except as otherwise provided in this section.

20 (2) For payments for taxes, interest associated with taxes, and
21 penalties associated with taxes that are made by automatic
22 clearinghouse system, federal wire, or other electronic communication,
23 any fee associated with the transaction may be absorbed within the
24 county treasurer's banking services budget.

25 (3) A county treasurer may elect to not charge transaction
26 processing costs for all payments made for a specific category of
27 nontax payments if the county legislative authority, or the legislative
28 authority of a district where the county treasurer serves as ex officio
29 treasurer, finds that not charging such transaction processing costs is
30 in the best interests of the county or district. Interest and
31 penalties associated with such transaction processing costs may be
32 absorbed by the county department or taxing district assessing the
33 payment transactions.

34 (4) For purposes of this section, the following definitions apply:

35 (a) "Electronic payment" means a payment made using the following:
36 Credit cards, charge cards, debit cards, smart cards, stored value
37 cards, federal wire, automatic clearinghouse system transactions, or
38 other electronic communication;

1 (b) "Nontax payments" means payments received by the county
2 treasurer that include payments for fines, interest not associated with
3 taxes, penalties not associated with taxes, special assessments, fees,
4 rates, charges, or moneys due counties; and

5 (c) "Transaction processing cost" means the cost of processing an
6 electronic payment as determined by the county treasurer. This cost is
7 based on costs incurred by the county treasurer and may not exceed the
8 additional direct costs incurred by the county to accept a specific
9 form of electronic payment utilized by the payer.

10 **Sec. 2.** RCW 39.72.010 and 1975-'76 2nd ex.s. c 77 s 1 are each
11 amended to read as follows:

12 (1) In case of the loss or destruction of a warrant for the payment
13 of money, or any bond or other instrument or evidence of indebtedness,
14 issued by any county, city or town, district or other political
15 subdivision or municipal corporation of the state of Washington,
16 hereinafter referred to as a municipal corporation, or by any
17 department or agency of such municipal corporation, such municipal
18 corporation may cause a duplicate to be issued in lieu thereof, subject
19 to the same requirements and conditions, and according to the same
20 procedure, as prescribed for the issuance of duplicate state
21 instruments in RCW 43.08.064 and 43.08.066 as now or hereafter amended:
22 PROVIDED, That the requirements of RCW 43.08.066(2) shall not be
23 applicable to instruments received by employees of the above issuers
24 for the payment of salary or wages or as other compensation for work
25 performed nor shall those requirements be applicable to instruments
26 received by former employees or their beneficiaries for the payment of
27 pension benefits.

28 (2)(a) In case of the loss or destruction of a warrant for the
29 payment of money, or any bond or other instrument or evidence of
30 indebtedness, issued by any local government officer or agency, the
31 officer or the agency through its appropriate officer may issue or
32 cause to be issued a duplicate in lieu thereof, bearing the same
33 designation and for the same amount as the original. The duplicate
34 instrument is subject in all other respects to the same provisions of
35 law as the original instrument.

36 (b) Before a duplicate instrument is issued, the issuing officer
37 shall require the person making application for its issue to file in

1 his or her office a written affidavit specifically alleging on oath
2 that he or she is the proper owner, payee, or legal representative of
3 such owner or payee of the original instrument, giving the date of
4 issue, the number, amount, and for what services or claim or purpose
5 the original instrument or series of instruments of which it is a part
6 was issued, and that the same has been lost or destroyed, and has not
7 been paid, or has not been received by him or her: PROVIDED, That in
8 the event that an original and its duplicate instrument are both
9 presented for payment as a result of forgery or fraud, the issuing
10 officer shall be the office responsible for endeavoring to recover any
11 losses suffered by the local government.

--- END ---