

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2298

Chapter 44, Laws of 2014

63rd Legislature
2014 Regular Session

TAXES--CAPITAL PROJECTS--LEGISLATIVE AUTHORITIES

EFFECTIVE DATE: 06/12/14

Passed by the House February 14, 2014
Yeas 83 Nays 13

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 5, 2014
Yeas 48 Nays 0

BRAD OWEN

President of the Senate

Approved March 19, 2014, 2:36 p.m.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2298** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

March 19, 2014

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2298

Passed Legislature - 2014 Regular Session

State of Washington

63rd Legislature

2014 Regular Session

By House Local Government (originally sponsored by Representatives Pike, Takko, Vick, Harris, Blake, Rodne, and Farrell)

READ FIRST TIME 02/05/14.

1 AN ACT Relating to changing the definition of capital projects to
2 include technology infrastructure; and amending RCW 82.46.010.

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

4 **Sec. 1.** RCW 82.46.010 and 2011 c 354 s 1 are each amended to read
5 as follows:

6 (1) The legislative authority of any county or city must identify
7 in the adopted budget the capital projects funded in whole or in part
8 from the proceeds of the tax authorized in this section, and must
9 indicate that such tax is intended to be in addition to other funds
10 that may be reasonably available for such capital projects.

11 (2)(a) The legislative authority of any county or any city may
12 impose an excise tax on each sale of real property in the
13 unincorporated areas of the county for the county tax and in the
14 corporate limits of the city for the city tax at a rate not exceeding
15 one-quarter of one percent of the selling price. The revenues from
16 this tax must be used by any city or county with a population of five
17 thousand or less and any city or county that does not plan under RCW
18 36.70A.040 for any capital purpose identified in a capital improvements

1 plan and local capital improvements, including those listed in RCW
2 35.43.040.

3 (b) After April 30, 1992, revenues generated from the tax imposed
4 under this subsection (2) in counties over five thousand population and
5 cities over five thousand population that are required or choose to
6 plan under RCW 36.70A.040 must be used solely for financing capital
7 projects specified in a capital facilities plan element of a
8 comprehensive plan and housing relocation assistance under RCW
9 59.18.440 and 59.18.450. However, revenues (i) pledged by such
10 counties and cities to debt retirement prior to April 30, 1992, may
11 continue to be used for that purpose until the original debt for which
12 the revenues were pledged is retired, or (ii) committed prior to April
13 30, 1992, by such counties or cities to a project may continue to be
14 used for that purpose until the project is completed.

15 (3) In lieu of imposing the tax authorized in RCW 82.14.030(2), the
16 legislative authority of any county or any city may impose an
17 additional excise tax on each sale of real property in the
18 unincorporated areas of the county for the county tax and in the
19 corporate limits of the city for the city tax at a rate not exceeding
20 one-half of one percent of the selling price.

21 (4) Taxes imposed under this section must be collected from persons
22 who are taxable by the state under chapter 82.45 RCW upon the
23 occurrence of any taxable event within the unincorporated areas of the
24 county or within the corporate limits of the city, as the case may be.

25 (5) Taxes imposed under this section must comply with all
26 applicable rules, regulations, laws, and court decisions regarding real
27 estate excise taxes as imposed by the state under chapter 82.45 RCW.

28 (6) As used in this section, "city" means any city or town and
29 "capital project" means those public works projects of a local
30 government for planning, acquisition, construction, reconstruction,
31 repair, replacement, rehabilitation, or improvement of streets; roads;
32 highways; sidewalks; street and road lighting systems; traffic signals;
33 bridges; domestic water systems; storm and sanitary sewer systems;
34 parks; recreational facilities; law enforcement facilities; fire
35 protection facilities; trails; libraries; administrative and/or
36 judicial facilities; river and/or waterway flood control projects by
37 those jurisdictions that, prior to June 11, 1992, have expended funds
38 derived from the tax authorized by this section for such purposes; and,

1 until December 31, 1995, housing projects for those jurisdictions that,
2 prior to June 11, 1992, have expended or committed to expend funds
3 derived from the tax authorized by this section or the tax authorized
4 by RCW 82.46.035 for such purposes; and technology infrastructure that
5 is integral to the capital project.

6 (7) From July 22, 2011, until December 31, 2016, a city or county
7 may use the greater of one hundred thousand dollars or thirty-five
8 percent of available funds under this section, but not to exceed one
9 million dollars per year, for the operations and maintenance of
10 existing capital projects as defined in subsection (6) of this section.

Passed by the House February 14, 2014.

Passed by the Senate March 5, 2014.

Approved by the Governor March 19, 2014.

Filed in Office of Secretary of State March 19, 2014.