
SENATE BILL 5571

State of Washington 64th Legislature 2015 Regular Session

By Senators Fain, Pedersen, Kohl-Welles, Litzow, Chase, and Habib

Read first time 01/23/15. Referred to Committee on Ways & Means.

1 AN ACT Relating to providing a tax deferral for the expansion of
2 certain existing public facilities district convention centers;
3 amending RCW 36.100.090; providing an effective date; and declaring
4 an emergency.

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

6 **Sec. 1.** RCW 36.100.090 and 1995 1st sp.s. c 14 s 6 are each
7 amended to read as follows:

8 (1) The governing board of a public facilities district may apply
9 for deferral of taxes on the construction of buildings, site
10 preparation, and the acquisition of related machinery and equipment
11 for a new public facility. Application (~~shall~~) must be made to the
12 department of revenue in a form and manner prescribed by the
13 department of revenue. The application (~~shall~~) must contain
14 information regarding the location of the public facility, estimated
15 or actual costs, time schedules for completion and operation, and
16 other information required by the department of revenue. The
17 department of revenue (~~shall~~) must approve the application within
18 sixty days if it meets the requirements of this section.

19 (2) The department of revenue (~~shall~~) must issue a sales and
20 use tax deferral certificate for state and local sales and use taxes
21 due under chapters 82.08, 82.12, and 82.14 RCW on the public

1 facility. The use of the certificate (~~shall be~~) is governed by
2 rules established by the department of revenue.

3 (3) The public facilities district (~~shall~~) must begin paying
4 the deferred taxes in the fifth year after the date certified by the
5 department of revenue as the date on which the public facility is
6 operationally complete. The first payment is due on December 31st of
7 the fifth calendar year after such certified date, with subsequent
8 annual payments due on December 31st of the following nine years.
9 Each payment (~~shall~~) must equal ten percent of the deferred tax.

10 (4) The department of revenue may authorize an accelerated
11 repayment schedule upon request of the public facilities district.

12 (5) Interest (~~shall~~) may not be charged on any taxes deferred
13 under this section for the period of deferral, although all other
14 penalties and interest applicable to delinquent excise taxes may be
15 assessed and imposed for delinquent payments under this section. The
16 debt for deferred taxes is not extinguished by insolvency or other
17 failure of the public facilities district.

18 (6) Applications and any other information received by the
19 department of revenue under this section are not confidential and are
20 subject to disclosure. Chapter 82.32 RCW applies to the
21 administration of this section.

22 (7) As used in this section, "public facility" means:

23 (a) A baseball stadium with a retractable roof or canopy and
24 natural turf; or

25 (b) The expansion of an existing public facilities district
26 convention center located in a county with a population of one
27 million five hundred thousand or more.

28 NEW SECTION. Sec. 2. This act is necessary for the immediate
29 preservation of the public peace, health, or safety, or support of
30 the state government and its existing public institutions, and takes
31 effect July 1, 2015.

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