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HOUSE BILL 2305

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State of Washington

65th Legislature

2018 Regular Session

By Representatives Van Werven, Eslick, Haler, Chapman, Kraft, and Stokesbary

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1 AN ACT Relating to extending the business and occupation tax  
2 return filing due date for self-employed filers; amending RCW  
3 82.32.045; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the filing of  
6 an annual excise tax return by January 31st can be a hardship for  
7 those self-employed taxpayers who must wait to receive a 1099 form.  
8 Therefore, some state taxpayers do not receive the information they  
9 need to accurately file their taxes until on or shortly after the  
10 current state filing deadline. The legislature finds that it is an  
11 unnecessary burden on taxpayers, and an inefficient use of state time  
12 and resources, to require them to file their return under the current  
13 timeline using the best information available to them and then  
14 subsequently amend their return at a later date. The legislature  
15 intends to address this by extending the deadline for self-employed  
16 persons who qualify to be annual filers.

17 **Sec. 2.** RCW 82.32.045 and 2010 1st sp.s. c 23 s 1103 are each  
18 amended to read as follows:

19 (1) Except as otherwise provided in this chapter, payments of the  
20 taxes imposed under chapters 82.04, 82.08, 82.12, 82.14, and 82.16

1 RCW, along with reports and returns on forms prescribed by the  
2 department, are due monthly within twenty-five days after the end of  
3 the month in which the taxable activities occur.

4 (2) The department of revenue may relieve any taxpayer or class  
5 of taxpayers from the obligation of remitting monthly and may require  
6 the return to cover other longer reporting periods, but in no event  
7 may returns be filed for a period greater than one year. For these  
8 taxpayers, tax payments are due on or before the last day of the  
9 month next succeeding the end of the period covered by the return.

10 (3) For self-employed annual filers, tax payments under chapter  
11 82.04 RCW are due on or before the last day of the third month  
12 immediately following the end of the period covered by the return.

13 (4) The department of revenue may also require verified annual  
14 returns from any taxpayer, setting forth such additional information  
15 as it may deem necessary to correctly determine tax liability.

16 ((+4)) (5) Notwithstanding subsections (1) and (2) of this  
17 section, the department may relieve any person of the requirement to  
18 file returns if the following conditions are met:

19 (a) The person's value of products, gross proceeds of sales, or  
20 gross income of the business, from all business activities taxable  
21 under chapter 82.04 RCW, is less than:

22 (i) Twenty-eight thousand dollars per year; or

23 (ii) Forty-six thousand six hundred sixty-seven dollars per year  
24 for persons generating at least fifty percent of their taxable amount  
25 from activities taxable under RCW 82.04.255, 82.04.290(2)(a), and  
26 82.04.285;

27 (b) The person's gross income of the business from all activities  
28 taxable under chapter 82.16 RCW is less than twenty-four thousand  
29 dollars per year; and

30 (c) The person is not required to collect or pay to the  
31 department of revenue any other tax or fee which the department is  
32 authorized to collect.

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