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SENATE BILL 5938

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State of Washington                      65th Legislature                      2017 1st Special Session

By Senator Fortunato

1            AN ACT Relating to clarifying the prohibition of the imposition  
2 of a local income tax; amending RCW 36.65.030; and creating a new  
3 section.

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

5            NEW SECTION.    **Sec. 1.**    The legislature finds that the costs  
6 associated with local initiatives impose administrative and legal  
7 costs on municipalities, regardless of the initiative's  
8 constitutional or statutory validity. The legislature finds that the  
9 courts' use of the same preballot deference in deciding local  
10 initiative challenges as statewide initiatives is not appropriate.  
11 The legislature restates its refusal to delegate to a city, county,  
12 or city-county, as a whole or as a governing body, the power to  
13 impose a tax on the personal income of individuals or households.

14            **Sec. 2.**    RCW 36.65.030 and 1984 c 91 s 3 are each amended to read  
15 as follows:

16            A county, city, or city-county (~~shall~~) may not levy a tax on  
17 (~~net~~) an individual's or household's personal income, whether net,  
18 gross, or adjusted gross income, capital gains income, or any other  
19 portion, or type of income. This prohibition, and the definition of  
20 income specifically, are to be construed broadly by any reviewing

1 court to affect the policy of this state that there exist absolute  
2 clarity and certainty in state law that there is no local government  
3 authority to levy any form of income tax on individuals or  
4 households.

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