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**SENATE BILL 5625**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Fortunato, Palumbo, and Hasegawa

Read first time 01/25/19. Referred to Committee on Ways & Means.

1 AN ACT Relating to allowing medicare supplemental insurance  
2 premiums to be deducted from the calculation of disposable income for  
3 the purpose of qualifying for senior property tax programs; amending  
4 RCW 84.36.383; and creating a new section.

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

6 **Sec. 1.** RCW 84.36.383 and 2012 c 10 s 74 are each amended to  
7 read as follows:

8 As used in RCW 84.36.381 through 84.36.389, except where the  
9 context clearly indicates a different meaning:

10 (1) The term "residence" means a single family dwelling unit  
11 whether such unit be separate or part of a multiunit dwelling,  
12 including the land on which such dwelling stands not to exceed one  
13 acre, except that a residence includes any additional property up to  
14 a total of five acres that comprises the residential parcel if this  
15 larger parcel size is required under land use regulations. The term  
16 also includes a share ownership in a cooperative housing association,  
17 corporation, or partnership if the person claiming exemption can  
18 establish that his or her share represents the specific unit or  
19 portion of such structure in which he or she resides. The term also  
20 includes a single family dwelling situated upon lands the fee of  
21 which is vested in the United States or any instrumentality thereof

1 including an Indian tribe or in the state of Washington, and  
2 notwithstanding the provisions of RCW 84.04.080 and 84.04.090, such a  
3 residence is deemed real property.

4 (2) The term "real property" also includes a mobile home which  
5 has substantially lost its identity as a mobile unit by virtue of its  
6 being fixed in location upon land owned or leased by the owner of the  
7 mobile home and placed on a foundation (posts or blocks) with fixed  
8 pipe, connections with sewer, water, or other utilities. A mobile  
9 home located on land leased by the owner of the mobile home is  
10 subject, for tax billing, payment, and collection purposes, only to  
11 the personal property provisions of chapter 84.56 RCW and RCW  
12 84.60.040.

13 (3) "Department" means the state department of revenue.

14 (4) "Combined disposable income" means the disposable income of  
15 the person claiming the exemption, plus the disposable income of his  
16 or her spouse or domestic partner, and the disposable income of each  
17 cotenant occupying the residence for the assessment year, less  
18 amounts paid by the person claiming the exemption or his or her  
19 spouse or domestic partner during the assessment year for:

20 (a) Drugs supplied by prescription of a medical practitioner  
21 authorized by the laws of this state or another jurisdiction to issue  
22 prescriptions;

23 (b) The treatment or care of either person received in the home  
24 or in a nursing home, assisted living facility, or adult family home;  
25 and

26 (c) Health care insurance premiums for medicare under Title XVIII  
27 of the social security act and medigap or medicare supplement  
28 insurance premiums.

29 (5) "Disposable income" means adjusted gross income as defined in  
30 the federal internal revenue code, as amended prior to January 1,  
31 1989, or such subsequent date as the director may provide by rule  
32 consistent with the purpose of this section, plus all of the  
33 following items to the extent they are not included in or have been  
34 deducted from adjusted gross income:

35 (a) Capital gains, other than gain excluded from income under  
36 section 121 of the federal internal revenue code to the extent it is  
37 reinvested in a new principal residence;

38 (b) Amounts deducted for loss;

39 (c) Amounts deducted for depreciation;

40 (d) Pension and annuity receipts;

- 1 (e) Military pay and benefits other than attendant-care and  
2 medical-aid payments;
- 3 (f) Veterans benefits, other than:
- 4 (i) Attendant-care payments;
- 5 (ii) Medical-aid payments;
- 6 (iii) Disability compensation, as defined in Title 38, part 3,  
7 section 3.4 of the code of federal regulations, as of January 1,  
8 2008; and
- 9 (iv) Dependency and indemnity compensation, as defined in Title  
10 38, part 3, section 3.5 of the code of federal regulations, as of  
11 January 1, 2008;
- 12 (g) Federal social security act and railroad retirement benefits;
- 13 (h) Dividend receipts; and
- 14 (i) Interest received on state and municipal bonds.
- 15 (6) "Cotenant" means a person who resides with the person  
16 claiming the exemption and who has an ownership interest in the  
17 residence.
- 18 (7) "Disability" has the same meaning as provided in 42 U.S.C.  
19 Sec. 423(d)(1)(A) as amended prior to January 1, 2005, or such  
20 subsequent date as the department may provide by rule consistent with  
21 the purpose of this section.

22 NEW SECTION. **Sec. 2.** Section 1 of this act applies to taxes  
23 levied for collection in 2020 and thereafter.

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