

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 1189**

67th Legislature  
2021 Regular Session

Passed by the House April 20, 2021  
Yeas 68 Nays 30

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**Speaker of the House of  
Representatives**

Passed by the Senate April 5, 2021  
Yeas 45 Nays 2

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1189** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE HOUSE BILL 1189**

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AS AMENDED BY THE SENATE

Passed Legislature - 2021 Regular Session

**State of Washington                      67th Legislature                      2021 Regular Session**

**By** House Finance (originally sponsored by Representatives Duerr, Boehnke, Bateman, Sullivan, Fitzgibbon, Walen, Ramel, Springer, Wicks, Slatter, Pollet, Callan, and Harris-Talley)

READ FIRST TIME 02/22/21.

1            AN ACT Relating to tax increment financing; amending RCW  
2 84.55.010 and 84.55.120; and adding a new chapter to Title 39 RCW.

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

4            NEW SECTION.    **Sec. 1.** The definitions in this section apply  
5 throughout this chapter unless the context clearly requires  
6 otherwise.

7            (1) "Assessed value of real property" means the valuation of  
8 taxable real property as placed on the last completed assessment roll  
9 prepared pursuant to Title 84 RCW.

10           (2) "Increment area" means the geographic area within which  
11 regular property tax revenues are to be apportioned to pay public  
12 improvement costs, as authorized under this chapter.

13           (3) "Increment value" means 100 percent of any increase in the  
14 true and fair value of real property in an increment area that is  
15 placed on the tax rolls after the increment area is created. The  
16 increment value shall not be less than zero.

17           (4) "Local government" means any city, town, county, port  
18 district, or any combination thereof.

19           (5) "Ordinance" means any appropriate method of taking  
20 legislative action by a local government, including a resolution  
21 adopted by a port district organized under Title 53 RCW.

1 (6) "Public improvement costs" means the costs of:

2 (a) Design, planning, acquisition, required permitting, required  
3 environmental studies and mitigation, seismic studies or surveys,  
4 archaeological studies or surveys, land surveying, site preparation,  
5 construction, reconstruction, rehabilitation, improvement, and  
6 installation of public improvements and other directly related costs;

7 (b) Relocating, maintaining, and operating property pending  
8 construction of public improvements;

9 (c) Relocating utilities as a result of public improvements;

10 (d) Financing public improvements, including capitalized interest  
11 for up to six months following completion of construction, legal and  
12 other professional services, taxes, insurance, principal and interest  
13 costs on general indebtedness issued to finance public improvements,  
14 and any necessary debt service reserves;

15 (e) Expenses incurred in revaluing real property for the purpose  
16 of determining the tax allocation base value by a county assessor  
17 under chapter 84.41 RCW and expenses incurred by a county treasurer  
18 under chapter 84.56 RCW in apportioning the taxes and complying with  
19 this chapter and other applicable law. For purposes of this  
20 subsection (6)(e), "expenses incurred" means actual staff and  
21 software costs directly related to the implementation and ongoing  
22 administration of increment areas under this chapter; and

23 (f) Administrative expenses and feasibility studies reasonably  
24 necessary and related to these costs, including related costs that  
25 may have been incurred before adoption of the ordinance authorizing  
26 the public improvements and the use of tax increment financing to  
27 fund the costs of the public improvements.

28 (7) "Public improvements" means:

29 (a) Infrastructure improvements owned by a local government  
30 within or outside of and serving the increment area that include:

31 (i) Street and road construction;

32 (ii) Water and sewer system construction and improvements;

33 (iii) Sidewalks and other nonmotorized transportation  
34 improvements and streetlights;

35 (iv) Parking, terminal, and dock facilities;

36 (v) Park and ride facilities or other transit facilities;

37 (vi) Park and community facilities and recreational areas;

38 (vii) Stormwater and drainage management systems;

39 (viii) Electric, broadband, or rail service;

40 (ix) Mitigation of brownfields; or

1 (b) Expenditures for any of the following purposes:

2 (i) Purchasing, rehabilitating, retrofitting for energy  
3 efficiency, and constructing housing for the purpose of creating or  
4 preserving long-term affordable housing;

5 (ii) Purchasing, rehabilitating, retrofitting for energy  
6 efficiency, and constructing child care facilities serving children  
7 and youth that are low-income, homeless, or in foster care;

8 (iii) Providing maintenance and security for the public  
9 improvements; or

10 (iv) Historic preservation activities authorized under RCW  
11 35.21.395.

12 (8) "Regular property taxes" means regular property taxes as  
13 defined in RCW 84.04.140, except: (a) Regular property taxes levied  
14 by port districts or public utility districts to the extent necessary  
15 for the payments of principal and interest on general obligation  
16 debt; and (b) regular property taxes levied by the state for the  
17 support of the common schools under RCW 84.52.065. Regular property  
18 taxes do not include excess property tax levies that are exempt from  
19 the aggregate limits for junior and senior taxing districts as  
20 provided in RCW 84.52.043. "Regular property taxes" does not include  
21 excess property taxes levied by local school districts.

22 (9) "Tax allocation base value" means the assessed value of real  
23 property located within an increment area for taxes imposed in the  
24 year in which the increment area is first designated.

25 (10) "Tax allocation revenues" means those revenues derived from  
26 the imposition of regular property taxes on the increment value.

27 (11) "Taxing district" means a governmental entity that levies or  
28 has levied for it regular property taxes upon real property located  
29 within a proposed or approved increment area.

30 NEW SECTION. **Sec. 2.** (1) A local government may designate an  
31 increment area under this chapter and use the tax allocation revenues  
32 to pay public improvement costs, subject to the following conditions:

33 (a) The local government must adopt an ordinance designating an  
34 increment area within its boundaries and describing the public  
35 improvements proposed to be paid for, or financed with, tax  
36 allocation revenues;

37 (b) The local government may not designate increment area  
38 boundaries such that the entirety of its territory falls within an  
39 increment area;

1 (c) The increment area may not have an assessed valuation of more  
2 than \$200,000,000 or more than 20 percent of the sponsoring  
3 jurisdiction's total assessed valuation, whichever is less, when the  
4 ordinance is passed. If a sponsoring jurisdiction creates two  
5 increment areas, the total combined assessed valuation in both of the  
6 two increment areas may not equal more than \$200,000,000 or more than  
7 20 percent of the sponsoring jurisdiction's total assessed valuation,  
8 whichever is less, when the ordinances are passed creating the  
9 increment areas;

10 (d) A local government can create no more than two active  
11 increment areas at any given time and they may not physically overlap  
12 by including the same land in more than one increment area at any  
13 time;

14 (e) The ordinance must set a sunset date for the increment area,  
15 which may be no more than 25 years after the first year in which tax  
16 allocation revenues are collected from the increment area;

17 (f) The ordinance must identify the public improvements to be  
18 financed and indicate whether the local government intends to issue  
19 bonds or other obligations, payable in whole or in part, from tax  
20 allocation revenues to finance the public improvement costs, and must  
21 estimate the maximum amount of obligations contemplated;

22 (g) The ordinance must provide that the increment takes effect on  
23 June 1st following the adoption of the ordinance in (a) of this  
24 subsection;

25 (h) The sponsoring jurisdiction may not add additional public  
26 improvements to the project after adoption of the ordinance creating  
27 the increment area or change the boundaries of the increment area.  
28 The sponsoring jurisdiction may expand, alter, or add to the original  
29 public improvements when doing so is necessary to assure the  
30 originally approved improvements can be constructed or operated;

31 (i) The ordinance must impose a deadline by which commencement of  
32 construction of the public improvements shall begin, which deadline  
33 must be at least five years into the future and for which extensions  
34 shall be made available for good cause; and

35 (j) The local government must make a finding that:

36 (i) The public improvements proposed to be paid or financed with  
37 tax allocation revenues are expected to encourage private development  
38 within the increment area and to increase the assessed value of real  
39 property within the increment area;

1 (ii) Private development that is anticipated to occur within the  
2 increment area as a result of the proposed public improvements will  
3 be permitted consistent with the permitting jurisdiction's applicable  
4 zoning and development standards;

5 (iii) The private development would not reasonably be expected to  
6 occur solely through private investment within the reasonably  
7 foreseeable future without the proposed public improvements; and

8 (iv) The increased assessed value within the increment area that  
9 could reasonably be expected to occur without the proposed public  
10 improvements would be less than the increase in the assessed value  
11 estimated to result from the proposed development with the proposed  
12 public improvements.

13 (2) In considering whether to designate an increment area, the  
14 legislative body of the local government must prepare a project  
15 analysis that shall include, but need not be limited to, the  
16 following:

17 (a) A statement of objectives of the local government for the  
18 designated increment area;

19 (b) A statement as to the property within the increment area, if  
20 any, that the local government may intend to acquire;

21 (c) The duration of the increment area;

22 (d) Identification of all parcels to be included in the area;

23 (e) A description of the expected private development within the  
24 increment area, including a comparison of scenarios with the proposed  
25 public improvements and without the proposed public improvements;

26 (f) A description of the public improvements, estimated public  
27 improvement costs, and the estimated amount of bonds or other  
28 obligations expected to be issued to finance the public improvement  
29 costs and repaid with tax allocation revenues;

30 (g) The assessed value of real property listed on the tax roll as  
31 certified by the county assessor under RCW 84.52.080 from within the  
32 increment area and an estimate of the increment value and tax  
33 allocation revenues expected to be generated;

34 (h) An estimate of the job creation reasonably expected to result  
35 from the public improvements and the private development expected to  
36 occur in the increment area; and

37 (i) An assessment of any impacts and any necessary mitigation to  
38 address the impacts identified on the following:

39 (i) Affordable and low-income housing;

40 (ii) The local business community;

1 (iii) The local school districts; and

2 (iv) The local fire service.

3 (3) The local government may charge a private developer, who  
4 agrees to participate in creating the increment area, a fee  
5 sufficient to cover the cost of the project analysis and establishing  
6 the increment area, including staff time, professionals and  
7 consultants, and other administrative costs related to establishing  
8 the increment area.

9 (4) Nothing in this section prohibits a local government from  
10 entering into an agreement under chapter 39.34 RCW with another local  
11 government for the administration or other activities related to tax  
12 increment financing authorized under this section.

13 (5) If the project analysis indicates that an increment area will  
14 impact at least 20 percent of the assessed value in a fire protection  
15 district or regional fire protection service authority, or the fire  
16 service agency's annual report demonstrates an increase in the level  
17 of service directly related to the increment area, the local  
18 government must negotiate a mitigation plan with the fire protection  
19 district or regional fire protection service authority to address  
20 level of service issues in the increment area.

21 (6) The local government may reimburse the assessor and treasurer  
22 for their costs as provided in section 1(6)(e) of this act.

23 (7) Prior to the adoption of an ordinance authorizing creation of  
24 an increment area, the local government must:

25 (a) Hold at least two public briefings for the community solely  
26 on the tax increment project that include the description of the  
27 increment area, the public improvements proposed to be financed with  
28 the tax allocation revenues, and a detailed estimate of tax revenues  
29 for the participating local governments and taxing districts,  
30 including the amounts allocated to the increment public improvements.  
31 The briefings must be announced at least two weeks prior to the date  
32 being held, including publishing in a legal newspaper of general  
33 circulation and posting information on the local government website  
34 and all local government social media sites; and

35 (b) Submit the project analysis to the office of the treasurer  
36 for review and consider any comments that the treasurer may provide  
37 upon completion of their review of the project analysis as provided  
38 under this subsection. The treasurer must complete the review within  
39 90 days of receipt of the project analysis and may consult with other  
40 agencies and outside experts as necessary. Upon completing their

1 review, the treasurer must promptly provide to the local government  
2 any comments regarding suggested revisions or enhancements to the  
3 project analysis that the treasurer deems appropriate based on the  
4 requirements in subsection (2) of this section.

5 NEW SECTION. **Sec. 3.** (1) Public improvements that are financed  
6 under this chapter may be undertaken and coordinated with other  
7 programs or efforts undertaken by the local government and other  
8 taxing districts and may be funded in part from revenue sources other  
9 than tax allocation revenues.

10 (2) Public improvements that are constructed by a private  
11 developer must meet all applicable state and local laws.

12 NEW SECTION. **Sec. 4.** The local government designating the  
13 increment area must:

14 (1) Publish notice in a legal newspaper of general circulation  
15 within the jurisdiction of the local government that describes the  
16 public improvements, describes the boundaries of the increment area,  
17 and identifies the location and times where the ordinance and other  
18 public information concerning the public improvement may be  
19 inspected; and

20 (2) Deliver a certified copy of the ordinance to the county  
21 treasurer, the county assessor, and the governing body of each taxing  
22 district within which the increment area is located.

23 NEW SECTION. **Sec. 5.** Apportionment of taxes shall be as  
24 follows:

25 (1) Commencing in the calendar year following the passage of the  
26 ordinance, the county treasurer shall distribute receipts from  
27 regular property taxes imposed on real property located in the  
28 increment area as follows:

29 (a) Each taxing district shall receive that portion of its  
30 regular property taxes produced by the rate of tax levied by or for  
31 the taxing district on the tax allocation base value for that  
32 increment area;

33 (b) The local government that designated the increment area shall  
34 be entitled to receive an additional amount equal to the amount  
35 derived from the regular property taxes levied by or for each taxing  
36 district upon the increment value within the increment area. The  
37 local government that designated the increment area shall receive no



1 more than is needed to pay or repay costs directly associated with  
2 the public improvements identified in the approved ordinance and may  
3 agree to receive less than the full amount of this portion, as long  
4 as bond debt service, reserve, and other bond covenant requirements  
5 are satisfied, in which case the balance of these tax receipts shall  
6 be allocated to the taxing districts that imposed regular property  
7 taxes, or have regular property taxes imposed for them, in the  
8 increment area for collection that year in proportion to their  
9 regular tax levy rates for collection that year. The local government  
10 may request that the treasurer transfer this additional portion of  
11 the property taxes to its designated agent. The portion of the tax  
12 receipts distributed to the local government or its agent under this  
13 subsection (1)(b) may only be expended to finance public improvement  
14 costs associated with the public improvements financed in whole or in  
15 part by tax increment financing; and

16 (c) This section shall not apply to any receipts from the regular  
17 property taxes levied by:

18 (i) The state for the support of the common schools under RCW  
19 84.52.065;

20 (ii) Local school district excess levies; and

21 (iii) Port districts or public utility districts specifically for  
22 the purpose of making required payments of principal and interest or  
23 general indebtedness.

24 (2) The apportionment of tax allocation revenues must cease when  
25 the taxing district certifies to the county assessor in writing that  
26 tax allocation revenues are no longer necessary or obligated to pay  
27 public improvement costs, but in no event shall the apportionment of  
28 tax allocation revenues continue beyond the sunset date established  
29 pursuant to section 2(1)(e) of this act. Any excess tax allocation  
30 revenues and earnings on the tax allocation revenues remaining at the  
31 time the apportionment of tax receipts terminates must be returned to  
32 the county treasurer and distributed to the taxing districts that  
33 imposed regular property taxes, or had regular property taxes imposed  
34 for it, in the increment area for collection that year, in proportion  
35 to the rates of their regular property tax levies for collection that  
36 year.

37 (3) The apportionment and distribution of portions of the regular  
38 property taxes levied by or for each taxing district upon the  
39 increment value within the increment area pursuant to and subject to

1 the requirements of this chapter is declared to be a public purpose  
2 of and benefit each such taxing district.

3 (4) The apportionment and distribution of portions of the regular  
4 property taxes levied by or for each taxing district upon the  
5 increment value within the increment area pursuant to this section  
6 shall not affect or be deemed to affect the rate of taxes levied by  
7 or within any such taxing district or the consistency of any such  
8 levies with the uniformity requirement of Article VII, section 1 of  
9 the state Constitution.

10 NEW SECTION. **Sec. 6.** (1) A local government designating an  
11 increment area may incur general indebtedness, and issue general  
12 obligation bonds or notes to finance the public improvements and  
13 retire the indebtedness, in whole or in part, from tax allocation  
14 revenues it receives.

15 (2) The general indebtedness incurred under subsection (1) of  
16 this section may be payable from tax allocation revenues and any  
17 other sources available to the local government for payment of the  
18 public improvement costs, including without limitation: Other tax  
19 revenues; the full faith and credit of the local government; nontax  
20 income, revenues, fees, and rents from the public improvements; and  
21 contributions, grants, and nontax resources.

22 (3) In addition to the requirements in subsection (1) of this  
23 section, a local government designating an increment area and  
24 authorizing the use of tax increment financing may require the  
25 nonpublic participant to provide adequate security to protect the  
26 public investment in the public improvement within the increment  
27 area.

28 NEW SECTION. **Sec. 7.** A direct or collateral attack on the  
29 designation of the increment area or the allocation of regular  
30 property tax revenues in conformance with applicable legal  
31 requirements, including this chapter, may not be commenced more than  
32 30 days after adoption of the ordinance as required by section 2 of  
33 this act.

34 NEW SECTION. **Sec. 8.** (1) A local government may issue revenue  
35 bonds to fund revenue-generating public improvements, or portions of  
36 public improvements, that are located within an increment area and  
37 that it is authorized to provide or operate. Whenever revenue bonds

1 are to be issued, the legislative authority of the local government  
2 shall create or have created a special fund or funds from which,  
3 along with any reserves created pursuant to RCW 39.44.140, the  
4 principal and interest on these revenue bonds shall exclusively be  
5 payable. The legislative authority of the local government may  
6 obligate the local government to set aside and pay into the special  
7 fund or funds a fixed proportion or a fixed amount of the revenues  
8 from the public improvements that are funded by the revenue bonds.  
9 This amount or proportion is a lien and charge against these  
10 revenues, subject only to operating and maintenance expenses. The  
11 local government shall have due regard for the cost of operation and  
12 maintenance of the public improvements that are funded by the revenue  
13 bonds, and shall not set aside into the special fund or funds a  
14 greater amount or proportion of the revenues that in its judgment  
15 will be available over and above the cost of maintenance and  
16 operation and the amount or proportion, if any, of the revenue  
17 previously pledged. The local government may also provide that  
18 revenue bonds payable out of the same source or sources of revenue  
19 may later be issued on a parity with any revenue bonds being issued  
20 and sold.

21 (2) Revenue bonds issued under this section are not an  
22 indebtedness of the local government issuing the bonds, and the  
23 interest and principal on the bonds shall only be payable from the  
24 revenues lawfully pledged to meet the principal and interest  
25 requirements and any reserves created pursuant to RCW 39.44.140. The  
26 owner or bearer of a revenue bond or any interest coupon issued under  
27 this section shall not have any claim against the local government  
28 arising from the bond or coupon except for payment from the revenues  
29 lawfully pledged to meet the principal and interest requirements and  
30 any reserves created pursuant to RCW 39.44.140. The substance of the  
31 limitations included in this subsection shall be plainly printed,  
32 written, or engraved on each bond issued under this section.

33 (3) Revenue bonds with a maturity in excess of 25 years shall not  
34 be issued under this section.

35 (4) The legislative authority of the local government shall by  
36 resolution determine for each revenue bond issue the amount, date,  
37 form, terms, conditions, denominations, maximum fixed or variable  
38 interest rate or rates, maturity or maturities, redemption rights,  
39 registration privileges, manner of execution, manner of sale,  
40 callable provisions, if any, and covenants including the refunding of

1 existing revenue bonds. Facsimile signatures may be used on the bonds  
2 and any coupons. Refunding revenue bonds may be issued in the same  
3 manner as revenue bonds are issued.

4 (5) The authority to issue revenue bonds under this section is  
5 supplementary and in addition to any authority otherwise existing.  
6 Nothing in this section limits a local government in the issuance of  
7 revenue bonds that are otherwise authorized by law for the  
8 construction of additions, betterments, or extensions of utilities  
9 within the increment area.

10 (6) Notwithstanding anything to the contrary in this section,  
11 revenue bonds issued to finance public improvements may be issued in  
12 accordance with chapter 39.46 RCW.

13 NEW SECTION. **Sec. 9.** This chapter supplements and neither  
14 restricts nor limits any powers that the state or any local  
15 government might otherwise have under any laws of this state.

16 **Sec. 10.** RCW 84.55.010 and 2017 3rd sp.s. c 13 s 302 are each  
17 amended to read as follows:

18 (1) Except as provided in this chapter, the levy for a taxing  
19 district in any year must be set so that the regular property taxes  
20 payable in the following year do not exceed the limit factor  
21 multiplied by the amount of regular property taxes lawfully levied  
22 for such district in the highest of the three most recent years in  
23 which such taxes were levied for such district, excluding any  
24 increase due to (e) of this subsection, unless the highest levy was  
25 the statutory maximum rate amount, plus an additional dollar amount  
26 calculated by multiplying the regular property tax levy rate of that  
27 district for the preceding year by the increase in assessed value in  
28 that district resulting from:

29 (a) New construction;

30 (b) Increases in assessed value due to construction of wind  
31 turbine, solar, biomass, and geothermal facilities, if such  
32 facilities generate electricity and the property is not included  
33 elsewhere under this section for purposes of providing an additional  
34 dollar amount. The property may be classified as real or personal  
35 property;

36 (c) Improvements to property; (~~and~~)

37 (d) Any increase in the assessed value of state-assessed  
38 property; and

1       (e) Any increase in the assessed value of real property, as that  
2 term is defined in section 1 of this act, within an increment area as  
3 designated by any local government in section 2 of this act provided  
4 that such increase is not included elsewhere under this section. This  
5 subsection (1)(e) does not apply to levies by the state or by port  
6 districts and public utility districts for the purpose of making  
7 required payments of principal and interest on general indebtedness.

8       (2) The requirements of this section do not apply to:

9       (a) State property taxes levied under RCW 84.52.065(1) for  
10 collection in calendar years 2019 through 2021; and

11       (b) State property taxes levied under RCW 84.52.065(2) for  
12 collection in calendar years 2018 through 2021.

13       **Sec. 11.** RCW 84.55.120 and 2014 c 4 s 5 are each amended to read  
14 as follows:

15       (1) A taxing district, other than the state, that collects  
16 regular levies must hold a public hearing on revenue sources for the  
17 district's following year's current expense budget. The hearing must  
18 include consideration of possible increases in property tax revenues  
19 and must be held prior to the time the taxing district levies the  
20 taxes or makes the request to have the taxes levied. The county  
21 legislative authority, or the taxing district's governing body if the  
22 district is a city, town, or other type of district, must hold the  
23 hearing. For purposes of this section, "current expense budget" means  
24 that budget which is primarily funded by taxes and charges and  
25 reflects the provision of ongoing services. It does not mean the  
26 capital, enterprise, or special assessment budgets of cities, towns,  
27 counties, or special purpose districts.

28       (2) If the taxing district is otherwise required to hold a public  
29 hearing on its proposed regular tax levy, a single public hearing may  
30 be held on this matter.

31       (3)(a) Except as provided in (b) of this subsection (3), no  
32 increase in property tax revenue may be authorized by a taxing  
33 district, other than the state, except by adoption of a separate  
34 ordinance or resolution, pursuant to notice, specifically authorizing  
35 the increase in terms of both dollars and percentage. The ordinance  
36 or resolution may cover a period of up to two years, but the  
37 ordinance must specifically state for each year the dollar increase  
38 and percentage change in the levy from the previous year.

1 (b) Exempt from the requirements of (a) of this subsection are  
2 increases in revenue resulting from the addition of:

3 (i) New construction;

4 (ii) Increases in assessed value due to construction of wind  
5 turbine, solar, biomass, and geothermal facilities, if such  
6 facilities generate electricity and the property is not included  
7 elsewhere under this section for purposes of providing an additional  
8 dollar amount. The property may be classified as real or personal  
9 property;

10 (iii) Improvements to property; (~~and~~)

11 (iv) Any increase in the value of state-assessed property; and

12 (v) Any increase in the assessed value of real property, as that  
13 term is defined in section 1 of this act, within an increment area as  
14 designated by any local government in section 2 of this act provided  
15 that such increase is not included elsewhere under this section. This  
16 subsection (3)(b)(v) does not apply to levies by the state or by port  
17 districts and public utility districts for the purpose of making  
18 required payments of principal and interest on general indebtedness.

19 NEW SECTION. Sec. 12. Sections 1 through 9 of this act  
20 constitute a new chapter in Title 39 RCW.

21 NEW SECTION. Sec. 13. If any provision of this act or its  
22 application to any person or circumstance is held invalid, the  
23 remainder of the act or the application of the provision to other  
24 persons or circumstances is not affected.

--- END ---