

SSB 5714 - H COMM AMD  
By Committee on Local Government

ADOPTED 04/10/2023

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 84.56.020 and 2022 c 143 s 1 are each amended to  
4 read as follows:

5 **Treasurers' tax collection duties.**

6 (1) The county treasurer must be the receiver and collector of  
7 all taxes extended upon the tax rolls of the county, whether levied  
8 for state, county, school, bridge, road, municipal or other purposes,  
9 and also of all fines, forfeitures or penalties received by any  
10 person or officer for the use of his or her county. No treasurer may  
11 accept tax payments or issue receipts for the same until the  
12 treasurer has completed the tax roll for the current year's  
13 collection and provided notification of the completion of the roll.  
14 Notification may be accomplished electronically, by posting a notice  
15 in the office, or through other written communication as determined  
16 by the treasurer. All real and personal property taxes and  
17 assessments made payable by the provisions of this title are due and  
18 payable to the county treasurer on or before the (~~thirtieth~~) 30th  
19 day of April and, except as provided in this section, are delinquent  
20 after that date.

21 **Tax statements.**

22 (2) (a) Tax statements for the current year's collection must be  
23 distributed to each taxpayer on or before March 15th provided that:

24 (i) All city and other taxing district budgets have been  
25 submitted to county legislative authorities by November 30th per RCW  
26 84.52.020;

27 (ii) The county legislative authority in turn has certified taxes  
28 levied to the county assessor in accordance with RCW 84.52.070; and

29 (iii) The county assessor has delivered the tax roll to the  
30 county treasurer by January 15th per RCW 84.52.080.

31 (b) Each tax statement must include a notice that checks for  
32 payment of taxes may be made payable to "Treasurer of . . . . .

1 County" or other appropriate office, but tax statements may not  
2 include any suggestion that checks may be made payable to the name of  
3 the individual holding the office of treasurer nor any other  
4 individual.

5 (c) Each tax statement distributed to an address must include a  
6 notice with information describing the:

7 (i) Property tax exemption program pursuant to RCW 84.36.379  
8 through 84.36.389; and

9 (ii) Property tax deferral program pursuant to chapter 84.38 RCW.

10 **Tax payment due dates.**

11 **On-time tax payments: First-half taxes paid by April 30th and**  
12 **second-half taxes paid by October 31st.**

13 (3) (a) When the total amount of tax or special assessments on  
14 personal property or on any lot, block or tract of real property  
15 payable by one person is (~~(fifty dollars)~~) \$50 or more, and if one-  
16 half of such tax is paid on or before the (~~(thirtieth)~~) 30th day of  
17 April, the remainder of such tax is due and payable on or before the  
18 following (~~(thirty-first)~~) 31st day of October and is delinquent  
19 after that date.

20 (b) Payments generated by an automated check processing service  
21 or payments sent via United States mail with no discernable postmark  
22 date and received within three business days of the 30th day of April  
23 or the 31st day of October, as required under (a) of this subsection,  
24 are not delinquent.

25 **Delinquent tax payments for current year: First-half taxes paid**  
26 **after April 30th.**

27 (4) (a) When the total amount of tax or special assessments on any  
28 lot, block or tract of real property, personal property, or on any  
29 mobile home payable by one person is (~~(fifty dollars)~~) \$50 or more,  
30 and if one-half of such tax is paid after the (~~(thirtieth)~~) 30th day  
31 of April but before the (~~(thirty-first)~~) 31st day of October,  
32 together with the applicable interest and penalty on the full amount  
33 of tax payable for that year, the remainder of such tax is due and  
34 payable on or before the following (~~(thirty-first)~~) 31st day of  
35 October and is delinquent after that date.

36 (b) Payments generated by an automated check processing service  
37 or payments sent via United States mail with no discernable postmark  
38 date and received within three business days of the 30th day of April  
39 or the 31st day of October, as required under (a) of this subsection,  
40 are not delinquent.

1 **Delinquent tax payments: Interest, penalties, and treasurer**  
2 **duties.**

3 (5) (a) Except as provided in (c) of this subsection, delinquent  
4 taxes under this section are subject to interest as provided in this  
5 subsection computed on a monthly basis on the amount of tax  
6 delinquent from the date of delinquency until paid. Interest must be  
7 calculated at the rate as described below.

8 (i) Until December 31, 2022, the interest rate is 12 percent per  
9 annum for all nonresidential real property, residential real  
10 property, and personal property.

11 (ii) Beginning January 1, 2023, interest rates are as follows:

12 (A) Nine percent per annum for all residential real property with  
13 four or fewer units per taxable parcel, including manufactured/mobile  
14 homes as defined in RCW 59.20.030 for taxes levied in 2023 or after;  
15 or

16 (B) Twelve percent per annum for all other property.

17 (b) (i) Penalties on delinquent taxes under this section may not  
18 be assessed beginning January 1, 2022, and through December 31, 2022.

19 (ii) Beginning January 1, 2023, delinquent taxes under this  
20 section are subject to penalties for nonresidential real property,  
21 residential real property with greater than four units per taxable  
22 parcel, and for personal property as follows:

23 (A) A penalty of three percent of the amount of tax delinquent is  
24 assessed on the tax delinquent on June 1st of the year in which the  
25 tax is due.

26 (B) An additional penalty of eight percent is assessed on the  
27 delinquent tax amount on December 1st of the year in which the tax is  
28 due.

29 (iii) Penalties may not be assessed on residential real property  
30 with four or fewer units per taxable parcel, including manufactured/  
31 mobile homes as defined in RCW 59.20.030.

32 (c) (i) If a taxpayer is successfully participating in a payment  
33 agreement under subsection (15) (b) of this section or a partial  
34 payment program pursuant to subsection (15) (c) of this section, the  
35 county treasurer may not assess additional penalties on delinquent  
36 taxes that are included within the payment agreement. Interest and  
37 penalties that have been assessed prior to the payment agreement  
38 remain due and payable as provided in the payment agreement.

39 (ii) The following remain due and payable as provided in any  
40 payment agreement:

1 (A) Interest that has been assessed prior to the payment  
2 agreement; and

3 (B) Penalties assessed prior to January 1, 2022, that have been  
4 assessed prior to the payment agreement.

5 (6) A county treasurer must provide notification to each taxpayer  
6 whose taxes have become delinquent under subsections (4) and (5) of  
7 this section. The delinquency notice must specify where the taxpayer  
8 can obtain information regarding:

9 (a) Any current tax or special assessments due as of the date of  
10 the notice;

11 (b) Any delinquent tax or special assessments due, including any  
12 penalties and interest, as of the date of the notice; and

13 (c) Where the taxpayer can pay his or her property taxes directly  
14 and contact information, including but not limited to the phone  
15 number, for the statewide foreclosure hotline recommended by the  
16 Washington state housing finance commission.

17 (7) Within (~~ninety~~) 90 days after the expiration of two years  
18 from the date of delinquency (when a taxpayer's taxes have become  
19 delinquent), the county treasurer must provide the name and property  
20 address of the delinquent taxpayer to a homeownership resource center  
21 or any other designated local or state entity recommended by the  
22 Washington state housing finance commission.

23 **Collection of foreclosure costs.**

24 (8) (a) When real property taxes become delinquent and prior to  
25 the filing of the certificate of delinquency, the treasurer is  
26 authorized to assess and collect tax foreclosure avoidance costs.

27 (b) When tax foreclosure avoidance costs are collected, such  
28 costs must be credited to the county treasurer service fund account,  
29 except as otherwise directed.

30 (c) For purposes of chapter 84.64 RCW, any taxes, interest, or  
31 penalties deemed delinquent under this section remain delinquent  
32 until such time as all taxes, interest, and penalties for the tax  
33 year in which the taxes were first due and payable have been paid in  
34 full.

35 **Periods of armed conflict.**

36 (9) Subsection (5) of this section notwithstanding, no interest  
37 or penalties may be assessed during any period of armed conflict  
38 regarding delinquent taxes imposed on the personal residences owned  
39 by active duty military personnel who are participating as part of  
40 one of the branches of the military involved in the conflict and

1 assigned to a duty station outside the territorial boundaries of the  
2 United States.

3 **State of emergency.**

4 (10) During a state of emergency declared under RCW  
5 43.06.010(12), the county treasurer, on his or her own motion or at  
6 the request of any taxpayer affected by the emergency, may grant  
7 extensions of the due date of any taxes payable under this section as  
8 the treasurer deems proper.

9 **Retention of funds from interest.**

10 (11) All collections of interest on delinquent taxes must be  
11 credited to the county current expense fund.

12 (12) For purposes of this chapter, "interest" means both interest  
13 and penalties.

14 **Retention of funds from property foreclosures and sales.**

15 (13) The direct cost of foreclosure and sale of real property,  
16 and the direct fees and costs of distraint and sale of personal  
17 property, for delinquent taxes, must, when collected, be credited to  
18 the operation and maintenance fund of the county treasurer  
19 prosecuting the foreclosure or distraint or sale; and must be used by  
20 the county treasurer as a revolving fund to defray the cost of  
21 further foreclosure, distraint, and sale because of delinquent taxes  
22 without regard to budget limitations and not subject to indirect  
23 costs of other charges.

24 **Tax due dates and options for tax payment collections.**

25 **Electronic billings and payments.**

26 (14) For purposes of this chapter, and in accordance with this  
27 section and RCW 36.29.190, the treasurer may collect taxes,  
28 assessments, fees, rates, interest, and charges by electronic billing  
29 and payment. Electronic billing and payment may be used as an option  
30 by the taxpayer, but the treasurer may not require the use of  
31 electronic billing and payment. Electronic bill presentment and  
32 payment may be on a monthly or other periodic basis as the treasurer  
33 deems proper for:

- 34 (a) Delinquent tax year payments; and  
35 (b) Prepayments of current tax.

36 **Tax payments.**

37 **Prepayment for current taxes.**

38 (15)(a) The treasurer may accept prepayments for current year  
39 taxes by any means authorized. All prepayments must be paid in full  
40 by the due date specified in subsection (16) of this section.

1           **Payment agreements for current year taxes.**

2           (b) (i) The treasurer may provide, by electronic means or  
3 otherwise, a payment agreement that provides for payment of current  
4 year taxes, inclusive of prepayment collection charges. The payment  
5 agreement must be signed by the taxpayer and treasurer or the  
6 treasurer's deputy prior to the sending of an electronic or  
7 alternative bill, which includes a payment plan for current year  
8 taxes.

9           **Payment agreements for delinquent year taxes.**

10          (ii) (A) The treasurer may provide, by electronic means or  
11 otherwise, a payment agreement for payment of past due delinquencies.  
12 The payment agreement must be signed by the taxpayer and treasurer or  
13 the treasurer's deputy prior to the sending of an electronic or  
14 alternative bill, which includes a payment plan for past due  
15 delinquent taxes and charges.

16          (B) Tax payments received by a treasurer for delinquent year  
17 taxes from a taxpayer participating on a payment agreement must be  
18 applied first to the oldest delinquent year unless such taxpayer  
19 requests otherwise.

20           **Partial payments: Acceptance of partial payments for current and**  
21 **delinquent taxes.**

22          (c) (i) In addition to the payment agreement program in (b) of  
23 this subsection, the treasurer may accept partial payment of any  
24 current and delinquent taxes including interest and penalties by any  
25 means authorized including electronic bill presentment and payments.

26          (ii) All tax payments received by a treasurer for delinquent year  
27 taxes from a taxpayer paying a partial payment must be applied first  
28 to the oldest delinquent year unless such taxpayer requests  
29 otherwise.

30           **Payment for delinquent taxes.**

31          (d) Payments on past due taxes must include collection of the  
32 oldest delinquent year, which includes interest, penalties, and taxes  
33 within an eighteen-month period, prior to filing a certificate of  
34 delinquency under chapter 84.64 RCW or distraint pursuant to RCW  
35 84.56.070.

36           **Due date for tax payments.**

37          (16) All taxes upon real and personal property made payable by  
38 the provisions of this title are due and payable to the treasurer on  
39 or before the (~~thirtieth~~) 30th day of April and are delinquent  
40 after that date. The remainder of the tax is due and payable on or

1 before the following (~~thirty-first~~) 31st of October and is  
2 delinquent after that date. All other assessments, fees, rates, and  
3 charges are delinquent after the due date.

4 **Electronic funds transfers.**

5 (17) A county treasurer may authorize payment of:

6 (a) Any current property taxes due under this chapter by  
7 electronic funds transfers on a monthly or other periodic basis; and

8 (b) Any past due property taxes, penalties, and interest under  
9 this chapter by electronic funds transfers on a monthly or other  
10 periodic basis. Delinquent taxes are subject to interest and  
11 penalties, as provided in subsection (5) of this section. All tax  
12 payments received by a treasurer from a taxpayer paying delinquent  
13 year taxes must be applied first to the oldest delinquent year unless  
14 such taxpayer requests otherwise.

15 **Payment for administering prepayment collections.**

16 (18) The treasurer must pay any collection costs, investment  
17 earnings, or both on past due payments or prepayments to the credit  
18 of a county treasurer service fund account to be created and used  
19 only for the payment of expenses incurred by the treasurer, without  
20 limitation, in administering the system for collecting prepayments.

21 **Waiver of interest and penalties for qualified taxpayers subject**  
22 **to foreclosure.**

23 (19) No earlier than (~~sixty~~) 60 days prior to the date that is  
24 three years after the date of delinquency, the treasurer must waive  
25 all outstanding interest and penalties on delinquent taxes due from a  
26 taxpayer if the property is subject to an action for foreclosure  
27 under chapter 84.64 RCW and the following requirements are met:

28 (a) The taxpayer is income-qualified under RCW 84.36.381(5) (a),  
29 as verified by the county assessor;

30 (b) The taxpayer occupies the property as their principal place  
31 of residence; and

32 (c) The taxpayer has not previously received a waiver on the  
33 property as provided under this subsection.

34 **Definitions.**

35 (20) The definitions in this subsection apply throughout this  
36 section unless the context clearly requires otherwise.

37 (a) "Electronic billing and payment" means statements, invoices,  
38 or bills that are created, delivered, and paid using the internet.  
39 The term includes an automatic electronic payment from a person's  
40 checking account, debit account, or credit card.

1 (b) "Internet" has the same meaning as provided in RCW  
2 19.270.010.

3 (c) "Tax foreclosure avoidance costs" means those direct costs  
4 associated with the administration of properties subject to and prior  
5 to foreclosure. Tax foreclosure avoidance costs include:

6 (i) Compensation of employees for the time devoted to  
7 administering the avoidance of property foreclosure; and

8 (ii) The cost of materials, services, or equipment acquired,  
9 consumed, or expended in administering tax foreclosure avoidance  
10 prior to the filing of a certificate of delinquency."

11 Correct the title.

EFFECT: Provides that payments must be sent through the United States mail in order to qualify as non-delinquent if received within three days of the payment due date with no discernible postmark date.

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