

SENATE BILL REPORT

SB 6202

As Passed Senate, February 7, 2024

Title: An act relating to technical changes to allowable exemptions from charges for tourism promotion area assessments.

Brief Description: Concerning technical changes to allowable exemptions for tourism promotion area assessments.

Sponsors: Senators Kauffman and Lovelett.

Brief History:

Committee Activity: Business, Financial Services, Gaming & Trade: 1/25/24, 1/30/24 [DP-WM].

Floor Activity: Passed Senate: 2/7/24, 48-0.

Brief Summary of Bill

- Allows a Tourism Promotion Area's (TPA) legislative authority to designate exemptions to the TPA lodging charge.

SENATE COMMITTEE ON BUSINESS, FINANCIAL SERVICES, GAMING & TRADE

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke, Gildon, Hasegawa, Lovick, MacEwen and Mullet.

Staff: Kellee Gunn (786-7429)

Background: Tourism Promotion Areas. The legislative authority of any city or county may form a tourism promotion area (TPA) to generate revenue for tourism promotion. As of June 11, 2020, any county, city, or town may create a TPA. A TPA may include the entire jurisdiction or only a portion, and multiple jurisdictions may establish a joint TPA through

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

interlocal agreement. A county TPA may only include unincorporated areas unless the county has signed an interlocal agreement with one or more cities to form a joint TPA. In a county with a population of 1 million or more, the legislative body must be comprised of two or more jurisdictions acting under an interlocal agreement.

Lodging Charge. A legislative authority may assess up to a \$2 lodging charge on certain lodging businesses within the TPA. The charge is limited to lodging businesses that have 40 or more rooms or lodging units. Up to six kinds of classifications can be imposed based on the number of rooms, room revenue, and location.

In 2020, the Legislature enacted legislation allowing for an additional \$3 charge to be imposed on those lodging businesses with 40 or more units in a TPA. Certain information must be collected by the TPA's legislative authority or its advisory board on the use of the additional funds and those affected by it along with a program review that must be submitted to the Legislature.

The Department of Revenue collects TPA revenues and distributes them to the appropriate legislative authorities.

Exemptions. The TPA lodging charge does not apply to temporary medical housing.

Summary of Bill: A legislative authority may designate an exemption to the TPA lodging charge to any lodging business, lodging unit, or lodging guest.

This act applies prospectively and retroactively.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: TPAs levy assessments on certain hotels and lodgings on specific areas. A local TPA had a campground in the area who would like to be exempted, along with a medical facility, and they reached out to the legislative authority. The local legislative authority tried to implement the exemption but was unable to because current statute does not allow for it. This bill would allow for local authorities to provide these exemptions now, and it would apply retroactively.

This law has been around since 2003 and is implemented by local government ordinances. This is a technical fix bill. Cities had adopted exemptions to the TPA in those areas, not knowing it was not permissible in state law. This bill will allow them to maintain

these exemptions. Stakeholders have worked with DOR on finding a path forward for this. This will allow existing statutes to remain in place and will not negatively affect local governments going forward.

Persons Testifying: PRO: Senator Claudia Kauffman, Prime Sponsor; Candice Bock, Association of Washington Cities; Becky Bogard, Washington State Destination Marketing Organizations; Montana Miranda, WA Hospitality Association; Steve Ewing, Dept. of Revenue.

Persons Signed In To Testify But Not Testifying: No one.