

**RCW 35.101.130 Legislative authority has sole discretion concerning use for tourism promotion—Contracts for operation of area—Lodging charge removal.**

(1) The legislative authority imposing the charge shall have sole discretion as to how the revenue derived from the charge is to be used to promote tourism that increases the number of tourists to the area. However, the legislative authority may appoint existing advisory boards or commissions to make recommendations as to its use, or the legislative authority may create a new advisory board or commission for that purpose.

(2) The legislative authority may contract with tourism destination marketing organizations or other similar organizations to administer the operation of the area, so long as the administration complies with all applicable provisions of law, including this chapter, and with all county, city, or town resolutions and ordinances, and with all regulations lawfully imposed by the state auditor or other state agencies.

(3) If a majority of those lodging businesses assessed the charges imposed under RCW 35.101.050 or 35.101.057 petition in writing to the legislative authority that the charge be removed, the legislative authority must remove the charge. The legislative authority may determine the timing of when to remove the charge so that the effective date of the expiration of the charge will not adversely impact existing contractual obligations not to exceed twelve months. The legislative authority may not be held liable for any financial obligations, contractual obligations, or damages for removing the charge.

(4) Any legislative authority with a charge in place under RCW 35.101.050 as of January 1, 2020, shall not have the charge be amended as provided under subsection (3) of this section unless the legislative authority has adopted an increase to the charge as authorized in RCW 35.101.057. [2020 c 215 s 3; 2003 c 148 s 13.]