
HOUSE BILL 2425

State of Washington**53rd Legislature****1994 Regular Session****By** Representatives Jones, G. Fisher, Foreman, Heavey and Kessler

Read first time 01/14/94. Referred to Committee on Revenue.

1 AN ACT Relating to property tax exemption for senior citizens or
2 persons unable to work; amending RCW 84.36.381; and creating a new
3 section.

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

5 **Sec. 1.** RCW 84.36.381 and 1993 c 178 s 1 are each amended to read
6 as follows:

7 A person shall be exempt from any legal obligation to pay all or a
8 portion of the amount of excess and regular real property taxes due and
9 payable in the year following the year in which a claim is filed, and
10 thereafter, in accordance with the following:

11 (1) The property taxes must have been imposed upon a residence
12 which was occupied by the person claiming the exemption as a principal
13 place of residence as of January 1st of the year for which the
14 exemption is claimed: PROVIDED, That any person who sells, transfers,
15 or is displaced from his or her residence may transfer his or her
16 exemption status to a replacement residence, but no claimant shall
17 receive an exemption on more than one residence in any year: PROVIDED
18 FURTHER, That confinement of the person to a hospital or nursing home
19 shall not disqualify the claim of exemption if:

1 (a) The residence is temporarily unoccupied;
2 (b) The residence is occupied by a spouse and/or a person
3 financially dependent on the claimant for support; or
4 (c) The residence is rented for the purpose of paying nursing home
5 or hospital costs;

6 (2) The person claiming the exemption must have owned, at the time
7 of filing, in fee, as a life estate, or by contract purchase, the
8 residence on which the property taxes have been imposed or if the
9 person claiming the exemption lives in a cooperative housing
10 association, corporation, or partnership, such person must own a share
11 therein representing the unit or portion of the structure in which he
12 or she resides. For purposes of this subsection, a residence owned by
13 a marital community or owned by cotenants shall be deemed to be owned
14 by each spouse or cotenant, and any lease for life shall be deemed a
15 life estate;

16 (3) The person claiming the exemption must be sixty-one years of
17 age or older on December 31st of the year in which the exemption claim
18 is filed, or must have been, at the time of filing, retired from
19 regular gainful employment by reason of physical disability: PROVIDED,
20 That any surviving spouse of a person who was receiving an exemption at
21 the time of the person's death shall qualify if the surviving spouse is
22 fifty-seven years of age or older and otherwise meets the requirements
23 of this section;

24 (4) The amount that the person shall be exempt from an obligation
25 to pay shall be calculated on the basis of combined disposable income,
26 as defined in RCW 84.36.383. If the person claiming the exemption was
27 retired for two months or more of the ((preceding)) assessment year,
28 the combined disposable income of such person shall be calculated by
29 multiplying the average monthly combined disposable income of such
30 person during the months such person was retired by twelve. If the
31 income of the person claiming exemption is reduced for two or more
32 months of the ((preceding)) assessment year by reason of the death of
33 the person's spouse, or by amounts paid by the person claiming the
exemption or his or her spouse for the treatment or care of either
person received in the home or in a nursing home, or when other
significant changes occur in disposable income, the combined disposable
36 income of such person shall be calculated by multiplying the average
37 monthly combined disposable income of such person after ((the death of
38 the spouse)) such occurrences by twelve. If it is necessary to

1 estimate income to comply with this subsection, the assessor may
2 require confirming documentation of such income prior to May 31 of the
3 year following application.

4 (5)(a) A person who otherwise qualifies under this section and has
5 a combined disposable income of twenty-six thousand dollars or less
6 shall be exempt from all excess property taxes; and

7 (b)(i) A person who otherwise qualifies under this section and has
8 a combined disposable income of eighteen thousand dollars or less but
9 greater than fifteen thousand dollars shall be exempt from all regular
10 property taxes on the greater of thirty thousand dollars or thirty
11 percent of the valuation of his or her residence, but not to exceed
12 fifty thousand dollars of the valuation of his or her residence; or

13 (ii) A person who otherwise qualifies under this section and has a
14 combined disposable income of fifteen thousand dollars or less shall be
15 exempt from all regular property taxes on the greater of thirty-four
16 thousand dollars or fifty percent of the valuation of his or her
17 residence.

18 NEW SECTION. **Sec. 2.** This act is effective for taxes levied for
19 collection in 1994 and thereafter.

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