
HOUSE BILL 2506

State of Washington

61st Legislature

2010 Regular Session

By Representative Goodman; by request of Statute Law Committee

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1 AN ACT Relating to technical corrections to the Revised Code of
2 Washington; amending RCW 6.17.160, 24.55.075, 28B.30.530, 36.16.050,
3 36.70A.070, 47.01.402, 46.68.080, 67.28.180, and 82.45.180; and
4 reenacting RCW 28B.67.030.

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

6 **Sec. 1.** RCW 6.17.160 and 2007 c 37 s 1 are each amended to read as
7 follows:

8 The sheriff to whom the writ is directed and delivered shall
9 execute the same without delay as follows:

10 (1) Real property, including a vendee's interests under a real
11 estate contract, shall be levied on by recording a copy of the writ,
12 together with a description of the property attached, with the
13 recording officer of the county in which the real estate is situated.

14 (2) Personal property, capable of manual delivery, shall be levied
15 on by taking into custody. If the property or any part of it may be
16 concealed in a building or enclosure, the sheriff may publicly demand
17 delivery of the property. If the property is not delivered and if the
18 order of execution so directs, the sheriff may cause the building or
19 enclosure to be broken open and take possession of the property.

1 (3) Shares of stock and other investment securities shall be levied
2 on in accordance with the requirements of RCW (~~62A.8-317~~) 62A.8-112.

3 (4) A fund in court shall be levied on by leaving a copy of the
4 writ with the clerk of the court with notice in writing specifying the
5 fund.

6 (5) A franchise granted by a public or quasi-public corporation
7 shall be levied on by (a) serving a copy of the writ on, or mailing it
8 to, the judgment debtor as required by RCW 6.17.130 and (b) filing a
9 copy of the writ in the office of the auditor of the county in which
10 the franchise was granted together with a notice in writing that the
11 franchise has been levied on to be sold, specifying the time and place
12 of sale, the name of the owner, the amount of the judgment for which
13 the franchise is to be sold, and the name of the judgment creditor.

14 (6) A vendor's interest under a real estate contract shall be
15 levied on by (a) recording a copy of the writ, with descriptions of the
16 contract and of the real property covered by the contract, with the
17 recording officer of the county in which the real estate is located and
18 (b) serving a copy of the writ, with a copy of the descriptions, on, or
19 mailing the same to, the judgment debtor and the vendee under the
20 contract in the manner as described in RCW 6.17.130.

21 (7) Other intangible personal property may be levied on by serving
22 a copy of the writ on, or mailing it to, the judgment debtor in the
23 manner as required by RCW 6.17.130, together with a description of the
24 property. If the property is a claim on which suit has been commenced,
25 a copy of the writ and of the description shall also be filed with the
26 clerk of the court in which the suit is pending.

27 **Sec. 2.** RCW 24.55.075 and 2009 c 436 s 9 are each amended to read
28 as follows:

29 This chapter modifies, limits, and supersedes the electronic
30 signatures in global and national commerce act (15 U.S.C. Sec. 7001 et
31 seq.), but does not modify, limit, or supersede 15 U.S.C. Sec.
32 7001(~~(a)~~) (c), or authorize electronic delivery of any of the notices
33 described in 15 U.S.C. Sec. 7003(b).

34 **Sec. 3.** RCW 28B.30.530 and 2009 c 486 s 1 are each amended to read
35 as follows:

1 (1) The board of regents of Washington State University shall
2 establish the Washington State University small business development
3 center.

4 (2) The center shall provide management and technical assistance
5 including but not limited to training, counseling, and research
6 services to small businesses throughout the state. The center shall
7 work with the department of (~~community, trade, and economic~~
8 ~~development~~) commerce, the state board for community and technical
9 colleges, the higher education coordinating board, the workforce
10 training and education coordinating board, the employment security
11 department, the Washington state economic development commission,
12 associate development organizations, and workforce development councils
13 to:

14 (a) Integrate small business development centers with other state
15 and local economic development and workforce development programs;

16 (b) Target the centers' services to small businesses;

17 (c) Tailor outreach and services at each center to the needs and
18 demographics of entrepreneurs and small businesses located within the
19 service area;

20 (d) Establish and expand small business development center
21 satellite offices when financially feasible; and

22 (e) Coordinate delivery of services to avoid duplication.

23 (3) The administrator of the center may contract with other public
24 or private entities for the provision of specialized services.

25 (4) The small business development center may accept and disburse
26 federal grants or federal matching funds or other funds or donations
27 from any source when made, granted, or donated to carry out the
28 center's purposes. When drawing on funds from the business assistance
29 account created in RCW (~~(30.60.010)~~) 28B.30.531, the center must first
30 use the funds to make increased management and technical assistance
31 available to small and start-up businesses at satellite offices. The
32 funds may also be used to develop and expand assistance programs such
33 as small business planning workshops and small business counseling.

34 (5) The legislature directs the small business development center
35 to request United States small business administration approval of a
36 special emphasis initiative, as permitted under 13 C.F.R. 130.340(c) as
37 of April 1, 2009, to target assistance to Washington state's smaller

1 businesses. This initiative would be negotiated and included in the
2 first cooperative agreement application process that occurs after July
3 26, 2009.

4 (6) By December 1, 2009, and December 1, 2010, respectively, the
5 center shall provide a written progress report and a final report to
6 the appropriate committees of the legislature with respect to the
7 requirements in subsections (2) and (5) of this section and the amount
8 and use of funding received through the business assistance account.
9 The reports must also include data on the number, location, staffing,
10 and budget levels of satellite offices; affiliations with community
11 colleges, associate development organizations or other local
12 organizations; the number, size, and type of small businesses assisted;
13 and the types of services provided. The reports must also include
14 information on the outcomes achieved, such as jobs created or retained,
15 private capital invested, and return on the investment of state and
16 federal dollars.

17 **Sec. 4.** RCW 28B.67.030 and 2009 c 296 s 2 and 2009 c 564 s 1804
18 are each reenacted to read as follows:

19 (1) All payments received from a participant in the Washington
20 customized employment training program created in RCW 28B.67.020 shall
21 be deposited into the employment training finance account, which is
22 hereby created in the custody of the state treasurer. Only the state
23 board for community and technical colleges may authorize expenditures
24 from the account and no appropriation is required for expenditures.
25 The money in the account must be used solely for training allowances
26 under the Washington customized employment training program created in
27 RCW 28B.67.020 and for providing up to seventy-five thousand dollars
28 per year for training, marketing, and facilitation services to increase
29 the use of the program. The deposit of payments under this section
30 from a participant shall cease when the board specifies that the
31 participant has met the monetary obligations of the program. During
32 the 2007-2009 fiscal biennium, the legislature may transfer from the
33 employment training finance account to the state general fund such
34 amounts as reflect the excess fund balance in the account.

35 (2) All revenue solicited and received under the provisions of RCW
36 28B.67.020(4) shall be deposited into the employment training finance
37 account to provide training allowances.

1 (3) The definitions in RCW 28B.67.010 apply to this section.

2 (4) This section expires July 1, 2012.

3 **Sec. 5.** RCW 36.16.050 and 1991 c 363 s 49 are each amended to read
4 as follows:

5 Every county official before he or she enters upon the duties of
6 his or her office shall furnish a bond conditioned that he or she will
7 faithfully perform the duties of his or her office and account for and
8 pay over all money which may come into his or her hands by virtue of
9 his or her office, and that he or she, or his or her executors or
10 administrators, will deliver to his or her successor safe and undefaced
11 all books, records, papers, seals, equipment, and furniture belonging
12 to his or her office. Bonds of elective county officers shall be as
13 follows:

14 (1) Assessor: Amount to be fixed and sureties to be approved by
15 proper county legislative authority;

16 (2) Auditor: Amount to be fixed at not less than ten thousand
17 dollars and sureties to be approved by the proper county legislative
18 authority;

19 (3) Clerk: Amount to be fixed in a penal sum not less than double
20 the amount of money liable to come into his or her hands and sureties
21 to be approved by the judge or a majority of the judges presiding over
22 the court of which he or she is clerk: PROVIDED, That the maximum bond
23 fixed for the clerk shall not exceed in amount that required for the
24 treasurer in ((a)) the same county ((of that class));

25 (4) Coroner: Amount to be fixed at not less than five thousand
26 dollars with sureties to be approved by the proper county legislative
27 authority;

28 (5) Members of the proper county legislative authority: Sureties
29 to be approved by the county clerk and the amounts to be:

30 (a) In each county with a population of one hundred twenty-five
31 thousand or more, twenty-five thousand dollars;

32 (b) In each county with a population of from seventy thousand to
33 less than one hundred twenty-five thousand, twenty-two thousand five
34 hundred dollars;

35 (c) In each county with a population of from forty ((~~thousand~~))
36 thousand to less than seventy thousand, twenty thousand dollars;

1 (d) In each county with a population of from eighteen thousand to
2 less than forty thousand, fifteen thousand dollars;

3 (e) In each county with a population of from twelve thousand to
4 less than eighteen thousand, ten thousand dollars;

5 (f) In each county with a population of from eight thousand to less
6 than twelve thousand, seven thousand five hundred dollars;

7 (g) In all other counties, five thousand dollars;

8 (6) Prosecuting attorney: In the amount of five thousand dollars
9 with sureties to be approved by the proper county legislative
10 authority;

11 (7) Sheriff: Amount to be fixed and bond approved by the proper
12 county legislative authority at not less than five thousand nor more
13 than fifty thousand dollars; surety to be a surety company authorized
14 to do business in this state;

15 (8) Treasurer: Sureties to be approved by the proper county
16 legislative authority and the amounts to be fixed by the proper county
17 legislative authority at double the amount liable to come into the
18 treasurer's hands during his or her term, the maximum amount of the
19 bond, however, not to exceed:

20 (a) In each county with a population of two hundred ten thousand or
21 more, two hundred fifty thousand dollars;

22 (b) In each county with a population of from one hundred twenty-
23 five thousand to less than two hundred ten thousand, two hundred
24 thousand dollars;

25 (c) In each county with a population of from eighteen thousand to
26 less than one hundred twenty-five thousand, one hundred fifty thousand
27 dollars;

28 (d) In all other counties, one hundred thousand dollars.

29 The treasurer's bond shall be conditioned that all moneys received
30 by him or her for the use of the county shall be paid as the proper
31 county legislative authority shall from time to time direct, except
32 where special provision is made by law for the payment of such moneys,
33 by order of any court, or otherwise, and for the faithful discharge of
34 his or her duties.

35 Bonds for other than elective officials, if deemed necessary by the
36 proper county legislative authority, shall be in such amount and form
37 as such legislative authority shall determine.

1 In the approval of official bonds, the chair may act for the county
2 legislative authority if it is not in session.

3 **Sec. 6.** RCW 36.70A.070 and 2005 c 360 s 2 are each amended to read
4 as follows:

5 The comprehensive plan of a county or city that is required or
6 chooses to plan under RCW 36.70A.040 shall consist of a map or maps,
7 and descriptive text covering objectives, principles, and standards
8 used to develop the comprehensive plan. The plan shall be an
9 internally consistent document and all elements shall be consistent
10 with the future land use map. A comprehensive plan shall be adopted
11 and amended with public participation as provided in RCW 36.70A.140.

12 Each comprehensive plan shall include a plan, scheme, or design for
13 each of the following:

14 (1) A land use element designating the proposed general
15 distribution and general location and extent of the uses of land, where
16 appropriate, for agriculture, timber production, housing, commerce,
17 industry, recreation, open spaces, general aviation airports, public
18 utilities, public facilities, and other land uses. The land use
19 element shall include population densities, building intensities, and
20 estimates of future population growth. The land use element shall
21 provide for protection of the quality and quantity of groundwater used
22 for public water supplies. Wherever possible, the land use element
23 should consider utilizing urban planning approaches that promote
24 physical activity. Where applicable, the land use element shall review
25 drainage, flooding, and storm water run-off in the area and nearby
26 jurisdictions and provide guidance for corrective actions to mitigate
27 or cleanse those discharges that pollute waters of the state, including
28 Puget Sound or waters entering Puget Sound.

29 (2) A housing element ensuring the vitality and character of
30 established residential neighborhoods that: (a) Includes an inventory
31 and analysis of existing and projected housing needs that identifies
32 the number of housing units necessary to manage projected growth; (b)
33 includes a statement of goals, policies, objectives, and mandatory
34 provisions for the preservation, improvement, and development of
35 housing, including single-family residences; (c) identifies sufficient
36 land for housing, including, but not limited to, government-assisted
37 housing, housing for low-income families, manufactured housing,

1 multifamily housing, and group homes and foster care facilities; and
2 (d) makes adequate provisions for existing and projected needs of all
3 economic segments of the community.

4 (3) A capital facilities plan element consisting of: (a) An
5 inventory of existing capital facilities owned by public entities,
6 showing the locations and capacities of the capital facilities; (b) a
7 forecast of the future needs for such capital facilities; (c) the
8 proposed locations and capacities of expanded or new capital
9 facilities; (d) at least a six-year plan that will finance such capital
10 facilities within projected funding capacities and clearly identifies
11 sources of public money for such purposes; and (e) a requirement to
12 reassess the land use element if probable funding falls short of
13 meeting existing needs and to ensure that the land use element, capital
14 facilities plan element, and financing plan within the capital
15 facilities plan element are coordinated and consistent. Park and
16 recreation facilities shall be included in the capital facilities plan
17 element.

18 (4) A utilities element consisting of the general location,
19 proposed location, and capacity of all existing and proposed utilities,
20 including, but not limited to, electrical lines, telecommunication
21 lines, and natural gas lines.

22 (5) Rural element. Counties shall include a rural element
23 including lands that are not designated for urban growth, agriculture,
24 forest, or mineral resources. The following provisions shall apply to
25 the rural element:

26 (a) Growth management act goals and local circumstances. Because
27 circumstances vary from county to county, in establishing patterns of
28 rural densities and uses, a county may consider local circumstances,
29 but shall develop a written record explaining how the rural element
30 harmonizes the planning goals in RCW 36.70A.020 and meets the
31 requirements of this chapter.

32 (b) Rural development. The rural element shall permit rural
33 development, forestry, and agriculture in rural areas. The rural
34 element shall provide for a variety of rural densities, uses, essential
35 public facilities, and rural governmental services needed to serve the
36 permitted densities and uses. To achieve a variety of rural densities
37 and uses, counties may provide for clustering, density transfer, design
38 guidelines, conservation easements, and other innovative techniques

1 that will accommodate appropriate rural densities and uses that are not
2 characterized by urban growth and that are consistent with rural
3 character.

4 (c) Measures governing rural development. The rural element shall
5 include measures that apply to rural development and protect the rural
6 character of the area, as established by the county, by:

7 (i) Containing or otherwise controlling rural development;

8 (ii) Assuring visual compatibility of rural development with the
9 surrounding rural area;

10 (iii) Reducing the inappropriate conversion of undeveloped land
11 into sprawling, low-density development in the rural area;

12 (iv) Protecting critical areas, as provided in RCW 36.70A.060, and
13 surface water and groundwater resources; and

14 (v) Protecting against conflicts with the use of agricultural,
15 forest, and mineral resource lands designated under RCW 36.70A.170.

16 (d) Limited areas of more intensive rural development. Subject to
17 the requirements of this subsection and except as otherwise
18 specifically provided in this subsection (5)(d), the rural element may
19 allow for limited areas of more intensive rural development, including
20 necessary public facilities and public services to serve the limited
21 area as follows:

22 (i) Rural development consisting of the infill, development, or
23 redevelopment of existing commercial, industrial, residential, or
24 mixed-use areas, whether characterized as shoreline development,
25 villages, hamlets, rural activity centers, or crossroads developments.

26 (A) A commercial, industrial, residential, shoreline, or mixed-use
27 area shall be subject to the requirements of (d)(iv) of this
28 subsection, but shall not be subject to the requirements of (c)(ii) and
29 (iii) of this subsection.

30 (B) Any development or redevelopment other than an industrial area
31 or an industrial use within a mixed-use area or an industrial area
32 under this subsection (5)(d)(i) must be principally designed to serve
33 the existing and projected rural population.

34 (C) Any development or redevelopment in terms of building size,
35 scale, use, or intensity shall be consistent with the character of the
36 existing areas. Development and redevelopment may include changes in
37 use from vacant land or a previously existing use so long as the new
38 use conforms to the requirements of this subsection (5);

1 (ii) The intensification of development on lots containing, or new
2 development of, small-scale recreational or tourist uses, including
3 commercial facilities to serve those recreational or tourist uses, that
4 rely on a rural location and setting, but that do not include new
5 residential development. A small-scale recreation or tourist use is
6 not required to be principally designed to serve the existing and
7 projected rural population. Public services and public facilities
8 shall be limited to those necessary to serve the recreation or tourist
9 use and shall be provided in a manner that does not permit low-density
10 sprawl;

11 (iii) The intensification of development on lots containing
12 isolated nonresidential uses or new development of isolated cottage
13 industries and isolated small-scale businesses that are not principally
14 designed to serve the existing and projected rural population and
15 nonresidential uses, but do provide job opportunities for rural
16 residents. Rural counties may allow the expansion of small-scale
17 businesses as long as those small-scale businesses conform with the
18 rural character of the area as defined by the local government
19 according to RCW 36.70A.030(~~((+14))~~) (15). Rural counties may also
20 allow new small-scale businesses to utilize a site previously occupied
21 by an existing business as long as the new small-scale business
22 conforms to the rural character of the area as defined by the local
23 government according to RCW 36.70A.030(~~((+14))~~) (15). Public services
24 and public facilities shall be limited to those necessary to serve the
25 isolated nonresidential use and shall be provided in a manner that does
26 not permit low-density sprawl;

27 (iv) A county shall adopt measures to minimize and contain the
28 existing areas or uses of more intensive rural development, as
29 appropriate, authorized under this subsection. Lands included in such
30 existing areas or uses shall not extend beyond the logical outer
31 boundary of the existing area or use, thereby allowing a new pattern of
32 low-density sprawl. Existing areas are those that are clearly
33 identifiable and contained and where there is a logical boundary
34 delineated predominately by the built environment, but that may also
35 include undeveloped lands if limited as provided in this subsection.
36 The county shall establish the logical outer boundary of an area of
37 more intensive rural development. In establishing the logical outer
38 boundary, the county shall address (A) the need to preserve the

1 character of existing natural neighborhoods and communities, (B)
2 physical boundaries, such as bodies of water, streets and highways, and
3 land forms and contours, (C) the prevention of abnormally irregular
4 boundaries, and (D) the ability to provide public facilities and public
5 services in a manner that does not permit low-density sprawl;

6 (v) For purposes of (d) of this subsection, an existing area or
7 existing use is one that was in existence:

8 (A) On July 1, 1990, in a county that was initially required to
9 plan under all of the provisions of this chapter;

10 (B) On the date the county adopted a resolution under RCW
11 36.70A.040(2), in a county that is planning under all of the provisions
12 of this chapter under RCW 36.70A.040(2); or

13 (C) On the date the office of financial management certifies the
14 county's population as provided in RCW 36.70A.040(5), in a county that
15 is planning under all of the provisions of this chapter pursuant to RCW
16 36.70A.040(5).

17 (e) Exception. This subsection shall not be interpreted to permit
18 in the rural area a major industrial development or a master planned
19 resort unless otherwise specifically permitted under RCW 36.70A.360 and
20 36.70A.365.

21 (6) A transportation element that implements, and is consistent
22 with, the land use element.

23 (a) The transportation element shall include the following
24 subelements:

25 (i) Land use assumptions used in estimating travel;

26 (ii) Estimated traffic impacts to state-owned transportation
27 facilities resulting from land use assumptions to assist the department
28 of transportation in monitoring the performance of state facilities, to
29 plan improvements for the facilities, and to assess the impact of land-
30 use decisions on state-owned transportation facilities;

31 (iii) Facilities and services needs, including:

32 (A) An inventory of air, water, and ground transportation
33 facilities and services, including transit alignments and general
34 aviation airport facilities, to define existing capital facilities and
35 travel levels as a basis for future planning. This inventory must
36 include state-owned transportation facilities within the city or
37 county's jurisdictional boundaries;

1 (B) Level of service standards for all locally owned arterials and
2 transit routes to serve as a gauge to judge performance of the system.
3 These standards should be regionally coordinated;

4 (C) For state-owned transportation facilities, level of service
5 standards for highways, as prescribed in chapters 47.06 and 47.80 RCW,
6 to gauge the performance of the system. The purposes of reflecting
7 level of service standards for state highways in the local
8 comprehensive plan are to monitor the performance of the system, to
9 evaluate improvement strategies, and to facilitate coordination between
10 the county's or city's six-year street, road, or transit program and
11 the ((~~department of transportation's six-year~~)) office of financial
12 management's ten-year investment program. The concurrency requirements
13 of (b) of this subsection do not apply to transportation facilities and
14 services of statewide significance except for counties consisting of
15 islands whose only connection to the mainland are state highways or
16 ferry routes. In these island counties, state highways and ferry route
17 capacity must be a factor in meeting the concurrency requirements in
18 (b) of this subsection;

19 (D) Specific actions and requirements for bringing into compliance
20 locally owned transportation facilities or services that are below an
21 established level of service standard;

22 (E) Forecasts of traffic for at least ten years based on the
23 adopted land use plan to provide information on the location, timing,
24 and capacity needs of future growth;

25 (F) Identification of state and local system needs to meet current
26 and future demands. Identified needs on state-owned transportation
27 facilities must be consistent with the statewide multimodal
28 transportation plan required under chapter 47.06 RCW;

29 (iv) Finance, including:

30 (A) An analysis of funding capability to judge needs against
31 probable funding resources;

32 (B) A multiyear financing plan based on the needs identified in the
33 comprehensive plan, the appropriate parts of which shall serve as the
34 basis for the six-year street, road, or transit program required by RCW
35 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795
36 for public transportation systems. The multiyear financing plan should
37 be coordinated with the ((~~six-year improvement~~)) ten-year investment

1 program developed by the (~~department of transportation~~) office of
2 financial management as required by RCW 47.05.030;

3 (C) If probable funding falls short of meeting identified needs, a
4 discussion of how additional funding will be raised, or how land use
5 assumptions will be reassessed to ensure that level of service
6 standards will be met;

7 (v) Intergovernmental coordination efforts, including an assessment
8 of the impacts of the transportation plan and land use assumptions on
9 the transportation systems of adjacent jurisdictions;

10 (vi) Demand-management strategies;

11 (vii) Pedestrian and bicycle component to include collaborative
12 efforts to identify and designate planned improvements for pedestrian
13 and bicycle facilities and corridors that address and encourage
14 enhanced community access and promote healthy lifestyles.

15 (b) After adoption of the comprehensive plan by jurisdictions
16 required to plan or who choose to plan under RCW 36.70A.040, local
17 jurisdictions must adopt and enforce ordinances which prohibit
18 development approval if the development causes the level of service on
19 a locally owned transportation facility to decline below the standards
20 adopted in the transportation element of the comprehensive plan, unless
21 transportation improvements or strategies to accommodate the impacts of
22 development are made concurrent with the development. These strategies
23 may include increased public transportation service, ride sharing
24 programs, demand management, and other transportation systems
25 management strategies. For the purposes of this subsection (6),
26 "concurrent with the development" (~~shall~~) means that improvements or
27 strategies are in place at the time of development, or that a financial
28 commitment is in place to complete the improvements or strategies
29 within six years.

30 (c) The transportation element described in this subsection (6),
31 (~~and~~) the six-year plans required by RCW 35.77.010 for cities, RCW
32 36.81.121 for counties, and RCW 35.58.2795 for public transportation
33 systems, and the ten-year investment program required by RCW 47.05.030
34 for the state, must be consistent.

35 (7) An economic development element establishing local goals,
36 policies, objectives, and provisions for economic growth and vitality
37 and a high quality of life. The element shall include: (a) A summary
38 of the local economy such as population, employment, payroll, sectors,

1 businesses, sales, and other information as appropriate; (b) a summary
2 of the strengths and weaknesses of the local economy defined as the
3 commercial and industrial sectors and supporting factors such as land
4 use, transportation, utilities, education, workforce, housing, and
5 natural/cultural resources; and (c) an identification of policies,
6 programs, and projects to foster economic growth and development and to
7 address future needs. A city that has chosen to be a residential
8 community is exempt from the economic development element requirement
9 of this subsection.

10 (8) A park and recreation element that implements, and is
11 consistent with, the capital facilities plan element as it relates to
12 park and recreation facilities. The element shall include: (a)
13 Estimates of park and recreation demand for at least a ten-year period;
14 (b) an evaluation of facilities and service needs; and (c) an
15 evaluation of intergovernmental coordination opportunities to provide
16 regional approaches for meeting park and recreational demand.

17 (9) It is the intent that new or amended elements required after
18 January 1, 2002, be adopted concurrent with the scheduled update
19 provided in RCW 36.70A.130. Requirements to incorporate any such new
20 or amended elements shall be null and void until funds sufficient to
21 cover applicable local government costs are appropriated and
22 distributed by the state at least two years before local government
23 must update comprehensive plans as required in RCW 36.70A.130.

24 **Sec. 7.** RCW 47.01.402 and 2009 c 458 s 1 are each amended to read
25 as follows:

26 (1) The legislature finds that the replacement of the vulnerable
27 state route number 99 Alaskan Way viaduct is a matter of urgency for
28 the safety of Washington's traveling public and the needs of the
29 transportation system in central Puget Sound. The state route number
30 99 Alaskan Way viaduct is susceptible to damage, closure, or
31 catastrophic failure from earthquakes and tsunamis. Additionally, the
32 viaduct serves as a vital route for freight and passenger vehicles
33 through downtown Seattle.

34 Since 2001, the department has undertaken an extensive evaluation
35 of multiple options to replace the Alaskan Way viaduct, including an
36 initial evaluation of seventy-six conceptual alternatives and a more
37 detailed analysis of five alternatives in 2004. In addition to a

1 substantial technical review, the department has also undertaken
2 considerable public outreach, which included consultation with a
3 stakeholder advisory committee that met sixteen times over a thirteen-
4 month period.

5 Therefore, it is the conclusion of the legislature that time is of
6 the essence, and that Washington state cannot wait for a disaster to
7 make it fully appreciate the urgency of the need to replace this
8 vulnerable structure. The state shall take the necessary steps to
9 expedite the environmental review and design processes to replace the
10 Alaskan Way viaduct with a deep bore tunnel under First Avenue from the
11 vicinity of the sports stadiums in Seattle to Aurora Avenue north of
12 the Battery Street tunnel. The tunnel must include four general
13 purpose lanes in a stacked formation.

14 (2) The state route number 99 Alaskan Way viaduct replacement
15 project finance plan must include state funding not to exceed two
16 billion four hundred million dollars and must also include no more than
17 four hundred million dollars in toll revenue. These funds must be used
18 solely to build a replacement tunnel, as described in subsection (1) of
19 this section, and to remove the existing state route number 99 Alaskan
20 Way viaduct. All costs associated with city utility relocations for
21 state work as described in this section must be borne by the city of
22 Seattle and provided in a manner that meets project construction
23 schedule requirements as determined by the department. State funding
24 is not authorized for any utility relocation costs, or for central
25 seawall or waterfront promenade improvements.

26 (3) The department shall provide updated cost estimates for
27 construction of the ((bored)) deep bore tunnel and also for the full
28 Alaskan Way viaduct replacement project to the legislature and governor
29 by January 1, 2010. The department must also consult with independent
30 tunnel engineering experts to review the estimates and risk
31 assumptions. The department shall not enter into a design-build
32 contract for construction of the ((bored)) deep bore tunnel until the
33 report in this section has been submitted.

34 (4) Any contract the department enters into related to construction
35 of the deep ((bored)) deep bore tunnel must include incentives and
36 penalties to encourage on-time completion of the project and to
37 minimize the potential for cost overruns.

1 (5) It is important that the public and policymakers have accurate
2 and timely access to information related to the Alaskan Way viaduct
3 replacement project as it proceeds to, and during, construction of all
4 aspects of the project, specifically including, but not limited to,
5 information regarding costs, schedules, contracts, project status, and
6 neighborhood impacts. Therefore, it is the intent of the legislature
7 that the state, city, and county departments of transportation
8 establish a single source of accountability for integration,
9 coordination, tracking, and information of all requisite components of
10 the replacement project, which must include, at minimum:

11 (a) A master schedule of all subprojects included in the full
12 replacement project or program; and

13 (b) A single point of contact for the public, media, stakeholders,
14 and other interested parties.

15 (6)(a) The city and county departments of transportation shall be
16 responsible for the cost, delivery, and associated risks of the project
17 components for which each department is responsible, as outlined in the
18 January 13, 2009, letter of agreement signed by the governor, city, and
19 county.

20 (b) The state's contribution shall not exceed two billion four
21 hundred million dollars. If costs exceed two billion four hundred
22 million dollars, no more than four hundred million (~~{{dollars}}~~)
23 dollars of the additional costs shall be financed with toll revenue.
24 Any costs in excess of two billion eight hundred million dollars shall
25 be borne by property owners in the Seattle area who benefit from
26 replacement of the existing viaduct with the deep bore tunnel.

27 (7) Compression brakes may be used by authorized motor vehicles in
28 the deep bore tunnel in a manner consistent with the requirements of
29 RCW 46.37.395.

30 **Sec. 8.** RCW 46.68.080 and 2006 c 337 s 12 are each amended to read
31 as follows:

32 (1) Motor vehicle license fees collected under RCW 46.16.0621 and
33 46.16.070 and fuel taxes collected under RCW 82.36.025(1) and
34 82.38.030(1) and directly or indirectly paid by the residents of those
35 counties composed entirely of islands and which have neither a fixed
36 physical connection with the mainland nor any state highways on any of
37 the islands of which they are composed, shall be paid into the motor

1 vehicle fund of the state of Washington and shall monthly, as they
2 accrue, and after deducting therefrom the expenses of issuing such
3 licenses and the cost of collecting such vehicle fuel tax, be paid to
4 the county treasurer of each such county to be by him or her disbursed
5 as hereinafter provided.

6 (2) One-half of the motor vehicle license fees collected under RCW
7 46.16.0621 and 46.16.070 and one-half of the fuel taxes collected under
8 RCW 82.36.025(1) and 82.38.030(1) and directly or indirectly paid by
9 the residents of those counties composed entirely of islands and which
10 have either a fixed physical connection with the mainland or state
11 highways on any of the islands of which they are composed, shall be
12 paid into the motor vehicle fund of the state of Washington and shall
13 monthly, as they accrue, and after deducting therefrom the expenses of
14 issuing such licenses and the cost of collecting such motor vehicle
15 fuel tax, be paid to the county treasurer of each such county to be by
16 him or her disbursed as hereinafter provided.

17 (3) All funds paid to the county treasurer of the counties (~~of~~
18 ~~either class~~) referred to in subsections (1) and (2) of this section,
19 shall be by such county treasurer distributed and credited to the
20 several road districts of each such county and paid to the city
21 treasurer of each incorporated city and town within each such county,
22 in the direct proportion that the assessed valuation of each such road
23 district and incorporated city and town shall bear to the total
24 assessed valuation of each such county.

25 (4) The amount of motor vehicle fuel tax paid by the residents of
26 those counties composed entirely of islands shall, for the purposes of
27 this section, be that percentage of the total amount of motor vehicle
28 fuel tax collected in the state that the motor vehicle license fees
29 paid by the residents of counties composed entirely of islands bears to
30 the total motor vehicle license fees paid by the residents of the
31 state.

32 (5)(a) An amount of fuel taxes shall be deposited into the Puget
33 Sound ferry operations account. This amount shall equal the difference
34 between the total amount of fuel taxes collected in the state under RCW
35 82.36.020 and 82.38.030 less the total amount of fuel taxes collected
36 in the state under RCW 82.36.020(1) and 82.38.030(1) and be multiplied
37 by a fraction. The fraction shall equal the amount of motor vehicle
38 license fees collected under RCW 46.16.0621 and 46.16.070 from counties

1 described in subsection (1) of this section divided by the total amount
2 of motor vehicle license fees collected in the state under RCW
3 46.16.0621 and 46.16.070.

4 (b) An additional amount of fuel taxes shall be deposited into the
5 Puget Sound ferry operations account. This amount shall equal the
6 difference between the total amount of fuel taxes collected in the
7 state under RCW 82.36.020 and 82.38.030 less the total amount of fuel
8 taxes collected in the state under RCW 82.36.020(1) and 82.38.030(1)
9 and be multiplied by a fraction. The fraction shall equal the amount
10 of motor vehicle license fees collected under RCW 46.16.0621 and
11 46.16.070 from counties described in subsection (2) of this section
12 divided by the total amount of motor vehicle license fees collected in
13 the state under RCW 46.16.0621 and 46.16.070, and this shall be
14 multiplied by one-half.

15 **Sec. 9.** RCW 67.28.180 and 2007 c 189 s 1 are each amended to read
16 as follows:

17 (1) Subject to the conditions set forth in subsections (2) and (3)
18 of this section, the legislative body of any county or any city, is
19 authorized to levy and collect a special excise tax of not to exceed
20 two percent on the sale of or charge made for the furnishing of lodging
21 that is subject to tax under chapter 82.08 RCW.

22 (2) Any levy authorized by this section shall be subject to the
23 following:

24 (a) Any county ordinance or resolution adopted pursuant to this
25 section shall contain, in addition to all other provisions required to
26 conform to this chapter, a provision allowing a credit against the
27 county tax for the full amount of any city tax imposed pursuant to this
28 section upon the same taxable event.

29 (b) In the event that any county has levied the tax authorized by
30 this section and has, prior to June 26, 1975, either pledged the tax
31 revenues for payment of principal and interest on city revenue or
32 general obligation bonds authorized and issued pursuant to RCW
33 67.28.150 through 67.28.160 or has authorized and issued revenue or
34 general obligation bonds pursuant to the provisions of RCW 67.28.150
35 through 67.28.160, such county shall be exempt from the provisions of
36 (a) of this subsection, to the extent that the tax revenues are pledged
37 for payment of principal and interest on bonds issued at any time

1 pursuant to the provisions of RCW 67.28.150 through 67.28.160:
2 PROVIDED, That so much of such pledged tax revenues, together with any
3 investment earnings thereon, not immediately necessary for actual
4 payment of principal and interest on such bonds may be used: (i) In
5 any county with a population of one million or more, for repayment
6 either of limited tax levy general obligation bonds or of any county
7 fund or account from which a loan was made, the proceeds from the bonds
8 or loan being used to pay for constructing, installing, improving, and
9 equipping stadium capital improvement projects, and to pay for any
10 engineering, planning, financial, legal and professional services
11 incident to the development of such stadium capital improvement
12 projects, regardless of the date the debt for such capital improvement
13 projects was or may be incurred; (ii) in any county with a population
14 of one million or more, for repayment or refinancing of bonded
15 indebtedness incurred prior to January 1, 1997, for any purpose
16 authorized by this section or relating to stadium repairs or
17 rehabilitation, including but not limited to the cost of settling legal
18 claims, reimbursing operating funds, interest payments on short-term
19 loans, and any other purpose for which such debt has been incurred if
20 the county has created a public stadium authority to develop a stadium
21 and exhibition center under RCW 36.102.030; or (iii) in other counties,
22 for county-owned facilities for agricultural promotion until January 1,
23 2009, and thereafter for any purpose authorized in this chapter.

24 A county is exempt under this subsection with respect to city
25 revenue or general obligation bonds issued after April 1, 1991, only if
26 such bonds mature before January 1, 2013. If any county located east
27 of the crest of the Cascade mountains has levied the tax authorized by
28 this section and has, prior to June 26, 1975, pledged the tax revenue
29 for payment of principal and interest on city revenue or general
30 obligation bonds, the county is exempt under this subsection with
31 respect to revenue or general obligation bonds issued after January 1,
32 2007, only if the bonds mature before January 1, 2021. Such a county
33 may only use funds under this subsection (2)(b) for constructing or
34 improving facilities authorized under this chapter, including county-
35 owned facilities for agricultural promotion, and must perform an annual
36 financial audit of organizations receiving funding on the use of the
37 funds.

1 As used in this subsection (2)(b), "capital improvement projects"
2 may include, but not be limited to a stadium restaurant facility,
3 restroom facilities, artificial turf system, seating facilities,
4 parking facilities and scoreboard and information system adjacent to or
5 within a county owned stadium, together with equipment, utilities,
6 accessories and appurtenances necessary thereto. The stadium
7 restaurant authorized by this subsection (2)(b) shall be operated by a
8 private concessionaire under a contract with the county.

9 (c)(i) No city within a county exempt under subsection (2)(b) of
10 this section may levy the tax authorized by this section so long as
11 said county is so exempt.

12 (ii) If bonds have been issued under RCW 43.99N.020 and any
13 necessary property transfers have been made under RCW 36.102.100, no
14 city within a county with a population of one million or more may levy
15 the tax authorized by this section before January 1, 2021.

16 (iii) However, in the event that any city in a county described in
17 (i) or (ii) of this subsection (2)(c) has levied the tax authorized by
18 this section and has, prior to June 26, 1975, authorized and issued
19 revenue or general obligation bonds pursuant to the provisions of RCW
20 67.28.150 through 67.28.160, such city may levy the tax so long as the
21 tax revenues are pledged for payment of principal and interest on bonds
22 issued at any time pursuant to the provisions of RCW 67.28.150 through
23 67.28.160.

24 (3) Any levy authorized by this section by a county that has levied
25 the tax authorized by this section and has, prior to June 26, 1975,
26 either pledged the tax revenues for payment of principal and interest
27 on city revenue or general obligation bonds authorized and issued
28 pursuant to RCW 67.28.150 through 67.28.160 or has authorized and
29 issued revenue or general obligation bonds pursuant to the provisions
30 of RCW 67.28.150 through 67.28.160 shall be subject to the following:

31 (a) Taxes collected under this section in any calendar year before
32 2013 in excess of five million three hundred thousand dollars shall
33 only be used as follows:

34 (i) Seventy-five percent from January 1, 1992, through December 31,
35 2000, and seventy percent from January 1, 2001, through December 31,
36 2012, for art museums, cultural museums, heritage museums, the arts,
37 and the performing arts. Moneys spent under this subsection (3)(a)(i)

1 shall be used for the purposes of this subsection (3)(a)(i) in all
2 parts of the county.

3 (ii) Twenty-five percent from January 1, 1992, through December 31,
4 2000, and thirty percent from January 1, 2001, through December 31,
5 2012, for the following purposes and in a manner reflecting the
6 following order of priority: Stadium purposes as authorized under
7 subsection (2)(b) of this section; acquisition of open space lands;
8 youth sports activities; and tourism promotion. If all or part of the
9 debt on the stadium is refinanced, all revenues under this subsection
10 (3)(a)(ii) shall be used to retire the debt.

11 (b) From January 1, 2013, through December 31, 2015, in a county
12 with a population of one million or more, all revenues under this
13 section shall be used to retire the debt on the stadium, or deposited
14 in the stadium and exhibition center account under RCW 43.99N.060 after
15 the debt on the stadium is retired.

16 (c) From January 1, 2016, through December 31, 2020, in a county
17 with a population of one million or more, all revenues under this
18 section shall be deposited in the stadium and exhibition center account
19 under RCW 43.99N.060.

20 (d) At least seventy percent of moneys spent under (a)(i) of this
21 subsection for the period January 1, 1992, through December 31, 2000,
22 shall be used only for the purchase, design, construction, and
23 remodeling of performing arts, visual arts, heritage, and cultural
24 facilities, and for the purchase of fixed assets that will benefit art,
25 heritage, and cultural organizations. For purposes of this subsection,
26 fixed assets are tangible objects such as machinery and other equipment
27 intended to be held or used for ten years or more. Moneys received
28 under this subsection (3)(d) may be used for payment of principal and
29 interest on bonds issued for capital projects. Qualifying
30 organizations receiving moneys under this subsection (3)(d) must be
31 financially stable and have at least the following:

32 (i) A legally constituted and working board of directors;
33 (ii) A record of artistic, heritage, or cultural accomplishments;
34 (iii) Been in existence and operating for at least two years;
35 (iv) Demonstrated ability to maintain net current liabilities at
36 less than thirty percent of general operating expenses;

37 (v) Demonstrated ability to sustain operational capacity subsequent
38 to completion of projects or purchase of machinery and equipment; and

1 (vi) Evidence that there has been independent financial review of
2 the organization.

3 (e) At least forty percent of the revenues distributed pursuant to
4 (a)(i) of this subsection for the period January 1, 2001, through
5 December 31, 2012, shall be deposited in an account and shall be used
6 to establish an endowment. Principal in the account shall remain
7 permanent and irreducible. The earnings from investments of balances
8 in the account may only be used for the purposes of (a)(i) of this
9 subsection.

10 (f) School districts and schools shall not receive revenues
11 distributed pursuant to (a)(i) of this subsection.

12 (g) Moneys distributed to art museums, cultural museums, heritage
13 museums, the arts, and the performing arts, and moneys distributed for
14 tourism promotion shall be in addition to and may not be used to
15 replace or supplant any other funding by the legislative body of the
16 county.

17 (h) As used in this section, "tourism promotion" includes
18 activities intended to attract visitors for overnight stays, arts,
19 heritage, and cultural events, and recreational, professional, and
20 amateur sports events. Moneys allocated to tourism promotion in a
21 (~~class AA~~) county with a population of one million or more shall be
22 allocated to nonprofit organizations formed for the express purpose of
23 tourism promotion in the county. Such organizations shall use moneys
24 from the taxes to promote events in all parts of the (~~class AA~~)
25 county.

26 (i) No taxes collected under this section may be used for the
27 operation or maintenance of a public stadium that is financed directly
28 or indirectly by bonds to which the tax is pledged. Expenditures for
29 operation or maintenance include all expenditures other than
30 expenditures that directly result in new fixed assets or that directly
31 increase the capacity, life span, or operating economy of existing
32 fixed assets.

33 (j) No ad valorem property taxes may be used for debt service on
34 bonds issued for a public stadium that is financed by bonds to which
35 the tax is pledged, unless the taxes collected under this section are
36 or are projected to be insufficient to meet debt service requirements
37 on such bonds.

1 (k) If a substantial part of the operation and management of a
2 public stadium that is financed directly or indirectly by bonds to
3 which the tax is pledged is performed by a nonpublic entity or if a
4 public stadium is sold that is financed directly or indirectly by bonds
5 to which the tax is pledged, any bonds to which the tax is pledged
6 shall be retired. This subsection (3)(k) does not apply in respect to
7 a public stadium under chapter 36.102 RCW transferred to, owned by, or
8 constructed by a public facilities district under chapter 36.100 RCW or
9 a stadium and exhibition center.

10 (l) The county shall not lease a public stadium that is financed
11 directly or indirectly by bonds to which the tax is pledged to, or
12 authorize the use of the public stadium by, a professional major league
13 sports franchise unless the sports franchise gives the right of first
14 refusal to purchase the sports franchise, upon its sale, to local
15 government. This subsection (3)(l) does not apply to contracts in
16 existence on April 1, 1986.

17 If a court of competent jurisdiction declares any provision of this
18 subsection (3) invalid, then that invalid provision shall be null and
19 void and the remainder of this section is not affected.

20 **Sec. 10.** RCW 82.45.180 and 2009 c 308 s 5 are each amended to read
21 as follows:

22 (1)(a) For taxes collected by the county under this chapter, the
23 county treasurer shall collect a five-dollar fee on all transactions
24 required by this chapter where the transaction does not require the
25 payment of tax. A total of five dollars shall be collected in the form
26 of a tax and fee, where the calculated tax payment is less than five
27 dollars. Through June 30, 2006, the county treasurer shall place one
28 percent of the taxes collected by the county under this chapter and the
29 treasurer's fee in the county current expense fund to defray costs of
30 collection. After June 30, 2006, the county treasurer shall place one
31 and three-tenths percent of the taxes collected by the county under
32 this chapter and the treasurer's fee in the county current expense fund
33 to defray costs of collection. For taxes collected by the county under
34 this chapter before July 1, 2006, the county treasurer shall pay over
35 to the state treasurer and account to the department of revenue for the
36 proceeds at the same time the county treasurer remits funds to the
37 state under RCW 84.56.280. For taxes collected by the county under

1 this chapter after June 30, 2006, on a monthly basis the county
2 treasurer shall pay over to the state treasurer the month's
3 transmittal. The month's transmittal must be received by the state
4 treasurer by 12:00 p.m. on the last working day of each month. The
5 county treasurer shall account to the department for the month's
6 transmittal by the twentieth day of the month following the month in
7 which the month's transmittal was paid over to the state treasurer.
8 The state treasurer shall deposit the proceeds in the general fund.

9 (b) For purposes of this subsection, the definitions in this
10 subsection apply.

11 (i) "Close of business" means the time when the county treasurer
12 makes his or her daily deposit of proceeds.

13 (ii) "Month's transmittal" means all proceeds deposited by the
14 county through the close of business of the day that is two working
15 days before the last working day of the month. This definition of
16 "month's transmittal" shall not be construed as requiring any change in
17 a county's practices regarding the timing of its daily deposits of
18 proceeds.

19 (iii) "Proceeds" means moneys collected and receipted by the county
20 from the taxes imposed by this chapter, less the county's share of the
21 proceeds used to defray the county's costs of collection allowable in
22 (a) of this subsection.

23 (iv) "Working day" means a calendar day, except Saturdays, Sundays,
24 and all legal holidays as provided in RCW 1.16.050.

25 (2) For taxes collected by the department of revenue under this
26 chapter, the department shall remit the tax to the state treasurer who
27 shall deposit the proceeds of any state tax in the general fund. The
28 state treasurer shall deposit the proceeds of any local taxes imposed
29 under chapter 82.46 RCW in the local real estate excise tax account
30 hereby created in the state treasury. Moneys in the local real estate
31 excise tax account may be spent only for distribution to counties,
32 cities, and towns imposing a tax under chapter 82.46 RCW. Except as
33 provided in RCW 43.08.190, all earnings of investments of balances in
34 the local real estate excise tax account shall be credited to the local
35 real estate excise tax account and distributed to the counties, cities,
36 and towns monthly. Monthly the state treasurer shall make distribution
37 from the local real estate excise tax account to the counties, cities,

1 and towns the amount of tax collected on behalf of each taxing
2 authority. The state treasurer shall make the distribution under this
3 subsection without appropriation.

4 (3)(a) The real estate excise tax electronic technology account is
5 created in the custody of the state treasurer. An appropriation is not
6 required for expenditures and the account is not subject to allotment
7 procedures under chapter 43.88 RCW.

8 (b) Through June 30, 2010, the county treasurer shall collect an
9 additional five-dollar fee on all transactions required by this
10 chapter, regardless of whether the transaction requires the payment of
11 tax. The county treasurer shall remit this fee to the state treasurer
12 at the same time the county treasurer remits funds to the state under
13 subsection (1) of this section. The state treasurer shall place money
14 from this fee in the real estate excise tax electronic technology
15 account. By the twentieth day of the subsequent month, the state
16 treasurer shall distribute to each county treasurer according to the
17 following formula: Three-quarters of the funds available shall be
18 equally distributed among the thirty-nine counties; and the balance
19 shall be ratably distributed among the counties in direct proportion to
20 their population as it relates to the total state's population based on
21 most recent statistics by the office of financial management.

22 (c) When received by the county treasurer, the funds shall be
23 placed in a special real estate excise tax electronic technology fund
24 held by the county treasurer to be used exclusively for the
25 development, implementation, and maintenance of an electronic
26 processing and reporting system for real estate excise tax affidavits.
27 Funds may be expended to make the system compatible with the automated
28 real estate excise tax system developed by the department and
29 compatible with the processes used in the offices of the county
30 assessor and county auditor. Any funds held in the account that are
31 not expended by the earlier of: July 1, 2015, or at such time that the
32 county treasurer is utilizing an electronic processing and reporting
33 system for real estate excise tax affidavits compatible with the
34 department and compatible with the processes used in the offices of the
35 county assessor and county (~~assessor~~[~~auditor~~]) auditor, revert to
36 the special real estate and property tax administration assistance
37 account in accordance with subsection (5)(c) of this section.

1 (4) Beginning July 1, 2010, through December 31, 2013, the county
2 treasurer shall continue to collect the additional five-dollar fee in
3 subsection (3) of this section on all transactions required by this
4 chapter, regardless of whether the transaction requires the payment of
5 tax. During this period, the county treasurer shall remit this fee to
6 the state treasurer at the same time the county treasurer remits funds
7 to the state under subsection (1) of this section. The state treasurer
8 shall place money from this fee in the annual property revaluation
9 grant account created in RCW 84.41.170.

10 (5)(a) The real estate and property tax administration assistance
11 account is created in the custody of the state treasurer. An
12 appropriation is not required for expenditures and the account is not
13 subject to allotment procedures under chapter 43.88 RCW.

14 (b) Beginning January 1, 2014, the county treasurer must continue
15 to collect the additional five-dollar fee in subsection (3) of this
16 section on all transactions required by this chapter, regardless of
17 whether the transaction requires the payment of tax. The county
18 treasurer shall deposit one-half of this fee in the special real estate
19 and property tax administration assistance account in accordance with
20 (c) of this subsection and remit the balance to the state treasurer at
21 the same time the county treasurer remits funds to the state under
22 subsection (1) of this section. The state treasurer must place money
23 from this fee in the real estate and property tax administration
24 assistance account. By the twentieth day of the subsequent month, the
25 state treasurer must distribute the funds to each county treasurer
26 according to the following formula: One-half of the funds available
27 must be equally distributed among the thirty-nine counties; and the
28 balance must be ratably distributed among the counties in direct
29 proportion to their population as it relates to the total state's
30 population based on most recent statistics by the office of financial
31 management.

32 (c) When received by the county treasurer, the funds must be placed
33 in a special real estate and property tax administration assistance
34 account held by the county treasurer to be used for:

35 (i) Maintenance and operation of an annual revaluation system for
36 property tax valuation; and

1 (ii) Maintenance and operation of an electronic processing and
2 reporting system for real estate excise tax affidavits.

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