

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5080

Chapter 178, Laws of 2021

67th Legislature
2021 Regular Session

YOUTH EDUCATIONAL PROGRAMMING—LOCAL FUNDS—USE

EFFECTIVE DATE: July 25, 2021

Passed by the Senate February 16,
2021

Yeas 47 Nays 0

DENNY HECK

President of the Senate

Passed by the House April 10, 2021

Yeas 95 Nays 2

Laurie Jinkins

**Speaker of the House of
Representatives**

Approved May 3, 2021 2:32 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5080** as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

Secretary

FILED

May 3, 2021

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5080

Passed Legislature - 2021 Regular Session

State of Washington

67th Legislature

2021 Regular Session

By Senate Ways & Means (originally sponsored by Senators Carlyle, Frockt, Hunt, Saldaña, Wellman, and Wilson, C.)

READ FIRST TIME 01/26/21.

1 AN ACT Relating to providing flexibility in the distribution and
2 use of local funds dedicated to facilities used for youth educational
3 programming; and amending RCW 82.32.559 and 82.14.050.

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

5 **Sec. 1.** RCW 82.32.559 and 2019 c 347 s 3 are each amended to
6 read as follows:

7 (1) The state treasurer must deposit the repayment of deferred
8 state sales and use taxes due under RCW 82.32.558 into the general
9 fund.

10 (2)(a) (~~Except as~~) Subject to the requirements provided in (b)
11 of this subsection (2), the state treasurer must deposit (~~half of~~
12 ~~the repayment of~~) deferred local sales and use taxes due under RCW
13 82.32.558 into the local sales and use tax account created in RCW
14 82.14.050.

15 (b) (~~The state treasurer must deposit the remaining half~~) Half
16 of the repayment of deferred local sales and use taxes due under RCW
17 82.32.558 (~~into the state building construction account~~) must be
18 distributed to a county where an eligible project under RCW
19 82.32.558(9)(a)(i) is located for the exclusive purpose of funding
20 the construction or rehabilitation of capital facilities used for
21 youth educational programming related to discovery, experimentation,

1 and critical thinking in the sciences. Funds may also be used for the
2 maintenance and operation of such capital facilities, which may
3 include off-site operations that directly relate to the core mission
4 of curiosity, discovery, experimentation, and critical thinking. The
5 capital facility must be located on the same premises as a qualifying
6 arena.

7 (3) The state treasurer must deposit any interest assessed and
8 accrued on taxes due pursuant to RCW 82.32.558(4) that is part of any
9 annual repayment as follows:

10 (a) Interest on state taxes must be deposited into the state
11 general fund.

12 (b) Interest on local taxes must be deposited into the local
13 sales and use tax account.

14 (4) In the event that an accelerated repayment schedule is
15 authorized by the department pursuant to RCW 82.32.558(5), the state
16 treasurer must deposit any amount in excess of taxes due pursuant to
17 RCW 82.32.558(4) into the state general fund and into the local sales
18 and use account, with the respective amounts deposited based on the
19 proportionate shares of the state taxes and local taxes due.

20 **Sec. 2.** RCW 82.14.050 and 2016 c 191 s 4 are each amended to
21 read as follows:

22 (1) The counties, cities, and transportation authorities under
23 RCW 82.14.045, public facilities districts under chapters 36.100 and
24 35.57 RCW, public transportation benefit areas under RCW 82.14.440,
25 regional transportation investment districts, and transportation
26 benefit districts under chapter 36.73 RCW must contract, prior to the
27 effective date of a resolution or ordinance imposing a sales and use
28 tax, the administration and collection to the state department of
29 revenue, which must deduct a percentage amount, as provided by
30 contract, not to exceed two percent of the taxes collected for
31 administration and collection expenses incurred by the department.
32 The remainder of any portion of any tax authorized by this chapter
33 that is collected by the department of revenue must be deposited by
34 the state department of revenue in the local sales and use tax
35 account hereby created in the state treasury. Beginning January 1,
36 2013, the department of revenue must make deposits in the local sales
37 and use tax account on a monthly basis on the last business day of
38 the month in which distributions required in (a) of this subsection

1 are due. Moneys in the local sales and use tax account may be
2 withdrawn only for:

3 (a) Distribution to counties, cities, transportation authorities,
4 public facilities districts, public transportation benefit areas,
5 regional transportation investment districts, and transportation
6 benefit districts imposing a sales and use tax; and

7 (b) Making refunds of taxes imposed under the authority of this
8 chapter and RCW 81.104.170 and exempted under RCW 82.08.962,
9 82.12.962, 82.08.02565, 82.12.02565, 82.08.025661, or 82.12.025661.

10 (2) All administrative provisions in chapters 82.03, 82.08,
11 82.12, and 82.32 RCW, as they now exist or may hereafter be amended,
12 insofar as they are applicable to state sales and use taxes, are
13 applicable to taxes imposed pursuant to this chapter.

14 (3) Counties, cities, transportation authorities, public
15 facilities districts, and regional transportation investment
16 districts may not conduct independent sales or use tax audits of
17 sellers registered under the streamlined sales tax agreement.

18 (4) Except as provided in RCW 43.08.190 and subsection (5) of
19 this section, all earnings of investments of balances in the local
20 sales and use tax account must be credited to the local sales and use
21 tax account and distributed to the counties, cities, transportation
22 authorities, public facilities districts, public transportation
23 benefit areas, regional transportation investment districts, and
24 transportation benefit districts monthly.

25 (5) Beginning January 1, 2013, the state treasurer must determine
26 the amount of earnings on investments that would have been credited
27 to the local sales and use tax account if the collections had been
28 deposited in the account over the prior month. When distributions are
29 made under subsection (1)(a) of this section, the state treasurer
30 must transfer this amount from the state general fund to the local
31 sales and use tax account and must distribute such sums to the
32 counties, cities, transportation authorities, public facilities
33 districts, public transportation benefit areas, regional
34 transportation investment districts, and transportation benefit
35 districts.

36 (6) Repayment of deferred local sales and use taxes due under RCW
37 82.32.558 is subject to the requirements of RCW 82.32.559.

Passed by the Senate February 16, 2021.
Passed by the House April 10, 2021.
Approved by the Governor May 3, 2021.

Filed in Office of Secretary of State May 3, 2021.

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