

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2778**

Chapter 117, Laws of 1996

54th Legislature  
1996 Regular Session

FARMWORKER HOUSING--SALES AND USE TAX EXEMPTIONS

EFFECTIVE DATE: 3/20/96

Passed by the House February 12, 1996  
Yeas 92 Nays 0

CLYDE BALLARD  
**Speaker of the  
House of Representatives**

Passed by the Senate March 7, 1996  
Yeas 49 Nays 0

JOEL PRITCHARD  
**President of the Senate**

Approved March 20, 1996

MIKE LOWRY  
**Governor of the State of Washington**

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2778** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN  
**Chief Clerk**

FILED

March 20, 1996 - 2:37 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2778**

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Passed Legislature - 1996 Regular Session

**State of Washington**

**54th Legislature**

**1996 Regular Session**

**By** House Committee on Agriculture & Ecology (originally sponsored by Representatives Mastin, Chappell, Chandler, Honeyford, Foreman, Mulliken, Lisk, Clements, Sheldon and Thompson; by request of Department of Health and Department of Agriculture)

Read first time 02/02/96.

1       AN ACT Relating to sales and use tax exemptions for farmworker  
2 housing; adding a new section to chapter 82.08 RCW; adding a new  
3 section to chapter 82.12 RCW; and declaring an emergency.

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

5       NEW SECTION.   **Sec. 1.** A new section is added to chapter 82.08 RCW  
6 to read as follows:

7       (1) The tax levied by RCW 82.08.020 shall not apply to charges made  
8 for labor and services rendered by any person in respect to the  
9 constructing, repairing, decorating, or improving of new or existing  
10 buildings or other structures used as agricultural employee housing, or  
11 to sales of tangible personal property that becomes an ingredient or  
12 component of the buildings or other structures during the course of the  
13 constructing, repairing, decorating, or improving the buildings or  
14 other structures, but only if the buyer provides the seller with an  
15 exemption certificate in a form and manner prescribed by the department  
16 by rule.

17       (2) The exemption provided in this section for agricultural  
18 employee housing provided to year-round employees of the agricultural  
19 employer, only applies if that housing is built to the current building

1 code for single-family or multifamily dwellings according to the state  
2 building code, chapter 19.27 RCW.

3 (3) Any agricultural employee housing built under this section  
4 shall be used according to this section for at least five years from  
5 the date the housing is approved for occupation.

6 (4) The exemption provided in this section shall not apply to  
7 housing built for the occupancy of an employer, family members of an  
8 employer, or persons owning stock or shares in a farm partnership or  
9 corporation business.

10 (5) For purposes of this section and section 2 of this act:

11 (a) "Agricultural employee" or "employee" has the same meaning as  
12 given in RCW 19.30.010;

13 (b) "Agricultural employer" or "employer" has the same meaning as  
14 given in RCW 19.30.010; and

15 (c) "Agricultural employee housing" means all facilities provided  
16 by the employer for housing the employer's agricultural employees on a  
17 year-round or seasonal basis, including bathing, food handling, hand  
18 washing, laundry, and toilet facilities, single-family and multifamily  
19 dwelling units and dormitories, and includes labor camps under RCW  
20 70.54.110. "Agricultural employee housing" does not include housing  
21 regularly provided on a commercial basis to the general public that is  
22 provided to agricultural employees on the same terms and conditions as  
23 it is provided to the general public.

24 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.12 RCW  
25 to read as follows:

26 (1) The provisions of this chapter shall not apply in respect to  
27 the use of tangible personal property that becomes an ingredient or  
28 component of buildings or other structures used as agricultural  
29 employee housing during the course of constructing, repairing,  
30 decorating, or improving the buildings or other structures by any  
31 person.

32 (2) The exemption provided in this section for agricultural  
33 employee housing provided to year-round employees of the agricultural  
34 employer, only applies if that housing is built to the current building  
35 code for single-family or multifamily dwellings according to the state  
36 building code, chapter 19.27 RCW.

1 (3) Any agricultural employee housing built under this section  
2 shall be used according to this section for at least five years from  
3 the date the housing is approved for occupation.

4 (4) The exemption provided in this section shall not apply to  
5 housing built for the occupancy of an employer, family members of an  
6 employer, or persons owning stock or shares in a farm partnership or  
7 corporation business.

8 (5) The definitions in section 1(5) of this act apply to this  
9 section.

10 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
11 preservation of the public peace, health, or safety, or support of the  
12 state government and its existing public institutions, and shall take  
13 effect immediately.

Passed the House February 12, 1996.

Passed the Senate March 7, 1996.

Approved by the Governor March 20, 1996.

Filed in Office of Secretary of State March 20, 1996.