
HOUSE BILL 2171

State of Washington

55th Legislature

1997 Regular Session

By Representatives Wolfe, Gardner, Cole, Linville, Costa, Butler, Conway, Veloria, Keiser, Sheldon, Gombosky, Doumit, Tokuda, Lantz, Murray, Mason, Cooper, Dunshee, Blalock, Wood, Ogden, Hatfield and Poulsen

Read first time 02/25/97. Referred to Committee on Finance.

1 AN ACT Relating to expanding property tax exemptions for senior
2 citizens and persons retired by reason of physical disability; and
3 amending RCW 84.36.381.

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

5 **Sec. 1.** RCW 84.36.381 and 1996 c 146 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 the time of filing: PROVIDED, That any person
14 who sells, transfers, or is displaced from his or her residence may
15 transfer his or her exemption status to a replacement residence, but no
16 claimant shall receive an exemption on more than one residence in any
17 year: PROVIDED FURTHER, That confinement of the person to a hospital
18 or nursing home shall not disqualify the claim of exemption if:

19 (a) The residence is temporarily unoccupied;

1 (b) The residence is occupied by a spouse and/or a person
2 financially dependent on the claimant for support; or

3 (c) The residence is rented for the purpose of paying nursing home
4 or hospital costs;

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

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

23 (4) The amount that the person shall be exempt from an obligation
24 to pay shall be calculated on the basis of combined disposable income,
25 as defined in RCW 84.36.383. If the person claiming the exemption was
26 retired for two months or more of the assessment year, the combined
27 disposable income of such person shall be calculated by multiplying the
28 average monthly combined disposable income of such person during the
29 months such person was retired by twelve. If the income of the person
30 claiming exemption is reduced for two or more months of the assessment
31 year by reason of the death of the person's spouse, or when other
32 substantial changes occur in disposable income that are likely to
33 continue for an indefinite period of time, the combined disposable
34 income of such person shall be calculated by multiplying the average
35 monthly combined disposable income of such person after such
36 occurrences by twelve. If it is necessary to estimate income to comply
37 with this subsection, the assessor may require confirming documentation
38 of such income prior to May 31 of the year following application;

1 (5)(a)(i) A person who otherwise qualifies under this section and
2 has a combined disposable income of (~~twenty-eight~~) thirty thousand
3 dollars or less, adjusted under (ii) of this subsection (5)(a), shall
4 be exempt from all excess property taxes;

5 (ii) Beginning on July 1, 1998, and each July 1 thereafter, the
6 income level in (i) of this subsection (5)(a) shall be readjusted to
7 reflect the percentage change in the consumer price index, calculated
8 as follows: The index for the calendar year preceding the year in
9 which the July calculation is made, to be known as "calendar year A,"
10 is divided by the index for the calendar year preceding calendar year
11 A, and the resulting ratio is multiplied by the income level in effect
12 on June 30 immediately preceding the July 1st on which the respective
13 calculation is made. For the purposes of this subsection, "index"
14 means the same as the definition in RCW 2.12.037(1); and

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

21 (ii) A person who otherwise qualifies under this section and has a
22 combined disposable income of fifteen thousand dollars or less shall be
23 exempt from all regular property taxes on the greater of thirty-four
24 thousand dollars or fifty percent of the valuation of his or her
25 residence; and

26 (6) For a person who otherwise qualifies under this section and has
27 a combined disposable income of twenty-eight thousand dollars or less,
28 the valuation of the residence shall be the assessed value of the
29 residence on the later of January 1, 1995, or January 1st of the
30 assessment year the person first qualifies under this section. If the
31 person subsequently fails to qualify under this section only for one
32 year because of high income, this same valuation shall be used upon
33 requalification. If the person fails to qualify for more than one year
34 in succession because of high income or fails to qualify for any other
35 reason, the valuation upon requalification shall be the assessed value
36 on January 1st of the assessment year in which the person requalifies.
37 If the person transfers the exemption under this section to a different
38 residence, the valuation of the different residence shall be the

1 assessed value of the different residence on January 1st of the
2 assessment year in which the person transfers the exemption.

3 In no event may the valuation under this subsection be greater than
4 the true and fair value of the residence on January 1st of the
5 assessment year.

6 This subsection does not apply to subsequent improvements to the
7 property in the year in which the improvements are made. Subsequent
8 improvements to the property shall be added to the value otherwise
9 determined under this subsection at their true and fair value in the
10 year in which they are made.

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