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ENGROSSED SUBSTITUTE SENATE BILL 5574

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State of Washington

55th Legislature

1997 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senator Horn)

Read first time 03/05/97.

1 AN ACT Relating to property tax reform; amending RCW 84.40.045,  
2 84.56.050, 84.52.054, and 84.56.020; creating new sections; repealing  
3 RCW 84.56.022; and prescribing penalties.

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

5 PART I

6 FULL PROPERTY TAX DISCLOSURE

7 **Sec. 101.** RCW 84.40.045 and 1994 c 301 s 36 are each amended to  
8 read as follows:

9 (1) The assessor shall give notice of any change in the true and  
10 fair value of real property for the tract or lot of land and any  
11 improvements thereon no later than thirty days after appraisal(~~(=~~  
12 ~~PROVIDED, That~~)). However, no such notice shall be mailed during the  
13 period from January 15 to February 15 of each year(~~(=~~—~~PROVIDED~~  
14 ~~FURTHER, That~~)). In addition, no notice need be sent with respect to  
15 changes in valuation of forest land made pursuant to chapter 84.33 RCW.

16 (2) The notice shall contain the following information and this  
17 information shall be separately stated on the notice:

1       (a) A statement of both the prior and the new true and fair value  
2 ((and)), stating separately land and improvement values;

3       (b) The ratio of the assessed value to the true and fair value on  
4 which the assessment of the property is based((, stating separately  
5 land and improvement values, and));

6       (c) A brief statement of the procedure for appeal to the board of  
7 equalization and the time, date, and place of the meetings of the  
8 board;

9       (d) A statement informing the taxpayer that the taxpayer may call  
10 the county to request a copy of the property tax statement that is  
11 issued under RCW 84.56.050. The copy of the property tax notice shall  
12 clearly state in bold-face type that it is not a bill and is for  
13 informational purposes only; and

14       (e) A statement that information concerning the zoning and other  
15 land use restrictions on the property may be obtained by calling the  
16 city or county planning department.

17       (3) The notice shall be mailed by the assessor to the taxpayer.  
18 For the purposes of this section, "taxpayer" means any person charged,  
19 or whose property is charged, with property tax.

20       (4) If any taxpayer, as shown by the tax rolls, holds solely a  
21 security interest in the real property which is the subject of the  
22 notice, pursuant to a mortgage, contract of sale, or deed of trust,  
23 such taxpayer shall((, upon written request of the assessor,))  
24 supply((, within thirty days of receipt of such request,)) to the  
25 assessor for the county in which the parcel is located the name and  
26 address of the person making payments for property tax purposes  
27 pursuant to the mortgage, contract of sale, or deed of trust, and  
28 thereafter such person shall also receive a copy of the notice provided  
29 for in this section. Willful failure to comply with ((such request  
30 within the time limitation provided for herein shall)) this subsection  
31 makes such taxpayer subject to a maximum civil penalty of five dollars  
32 for each parcel of real property in which it holds the security  
33 interest, the aggregate of such penalties in any one year not to exceed  
34 five thousand dollars. The penalties provided for ((herein)) in this  
35 subsection shall be recoverable in an action by the county prosecutor,  
36 and when recovered shall be deposited in the county current expense  
37 fund. ((The assessor shall make the request provided for by this  
38 section during the month of January.))

1       **Sec. 102.** RCW 84.56.050 and 1991 c 245 s 17 are each amended to  
2 read as follows:

3       (1) On receiving the tax rolls the county treasurer shall post all  
4 real and personal property taxes from the rolls to the treasurer's tax  
5 roll, and shall carry forward to the current tax rolls a memorandum of  
6 all delinquent taxes on each and every description of property, and  
7 enter the same on the property upon which the taxes are delinquent  
8 showing the amounts for each year.

9       (2) The treasurer shall notify each taxpayer in the county, at the  
10 expense of the county, of the amount of the real and personal  
11 property(~~(, and the current and delinquent amount of tax due on the~~  
12 ~~same; and the treasurer shall have printed on the notice the name of~~  
13 ~~each tax and the levy made on the same)) taxes due and payable. The  
14 notice mailed to the taxpayer shall at a minimum contain the following  
15 information and this information must be separately stated on the  
16 notice:~~

17       (a) The name and address of the taxpayer;

18       (b) The name, address, and telephone number of the county issuing  
19 the notice;

20       (c) The parcel number as noted in the county records;

21       (d) The property address if one exists, or the abbreviated legal  
22 description;

23       (e) The year for which the taxes are due;

24       (f) The assessed valuation of the parcel's land value and  
25 improvement value, and the assessment year, determined by the county  
26 assessor's office;

27       (g) Current billing information containing each type of taxing  
28 jurisdiction levying a tax on the identified parcel, and the total  
29 amount due for each type of taxing jurisdiction:

30       (i) As a result of regular property taxes, expressed as a dollar  
31 amount; and

32       (ii) As a result of the aggregate of all voter-approved levies,  
33 including special levies and assessments, expressed as a dollar amount;

34       (h) The total taxes due and payable from the taxpayer, including  
35 any delinquent taxes when included and any interest or penalties due as  
36 of a specific future date. The treasurer shall include a phone number  
37 for current interest and penalty calculations; and

38       (i) A notice of the payment due dates and possible delinquency  
39 penalties and interest.

1 (3) In any county where the county treasurer includes multiple  
2 parcels of land on a combined tax statement to a single owner, the  
3 county treasurer is not required to comply with subsection (2)(d) and  
4 (g) of this section. A taxpayer may request a separate tax statement  
5 on any or all parcels. The county treasurer shall be the sole  
6 collector of all delinquent taxes and all other taxes due and  
7 collectible on the tax rolls of the county(~~(;—PROVIDED, That))~~).

8 (4) For the purposes of this section, the term "taxpayer" (~~as used~~  
9 in this section shall)) means any person charged, or whose property is  
10 charged, with property tax(~~(; and))~~).

11 (5) The person to be notified under subsection (2) of this section  
12 is (~~that~~) the person whose name appears on the tax rolls (~~herein~~  
13 mentioned: ~~PROVIDED, FURTHER, That~~) of the county issuing the notice.  
14 If no name so appears the person to be notified is that person shown by  
15 the treasurer's tax rolls or duplicate tax receipts of any preceding  
16 year as the payer of the tax last paid on the property in question.

17 (6) The name of the state property tax levy for the support of the  
18 common schools shall be entitled "state property tax levy" and shall  
19 not indicate its use for the support of the common schools.

20 **Sec. 103.** RCW 84.52.054 and 1986 c 133 s 2 are each amended to  
21 read as follows:

22 (1) Any ballot proposition submitted to the voters requesting the  
23 additional tax provided for in (~~subparagraph (a) of the seventeenth~~  
24 amendment to)) Article VII, section 2 (a) and (b) of the state  
25 Constitution (~~as amended by Amendment 59 and as thereafter amended,~~)  
26 and specifically authorized by RCW 84.52.052, (~~as now or hereafter~~  
27 amended, and RCW)) 84.52.053 (~~and~~), 84.52.0531, and 84.52.056, or any  
28 other proposition submitted to the voters for regular or excess  
29 property tax levies shall (~~be set forth in terms of dollars on the~~  
30 ballot of the proposition to be submitted to the voters, together with  
31 an estimate of the dollar rate of tax levy that will be required to  
32 produce the dollar amount; and)) contain the following information in  
33 the official ballot title submitted to the voters:

34 (a) The total dollar amount proposed to be collected during the  
35 entire period of the levy;

36 (b) An estimate of the dollar rate of the tax levy that will be  
37 required for each one thousand dollars of assessed value to produce the  
38 total dollar amount proposed in (a) of this subsection;

1 (c) An estimate of the total tax liability for one hundred thousand  
2 dollars of taxable value based on the estimated dollar amount of tax  
3 levy in (b) of this subsection; and

4 (d) A statement of the proposed use or uses of the tax levies  
5 requested.

6 (2) Any ballot proposition submitted to the voters requesting the  
7 additional tax provided for in Article VII, section 2 (a) and (b) of  
8 the state Constitution and specifically authorized by RCW 84.52.052,  
9 84.52.053, 84.52.0531, and 84.52.056, or any other proposition  
10 submitted to the voters for regular or excess property tax levies  
11 lasting longer than one year shall contain the following information in  
12 the official ballot title submitted to the voters:

13 (a) The total dollar amount proposed to be collected during the  
14 entire period of the levy;

15 (b) The total dollar amount proposed to be collected during each  
16 year of the period for which the tax levy is proposed. The total  
17 dollar amount for each annual levy in the period may be equal or in  
18 different amounts;

19 (c) An estimate of the dollar rate of the tax levy that will be  
20 required for each one thousand dollars of assessed value to produce the  
21 total dollar amounts proposed in (b) of this subsection;

22 (d) A statement as to whether the proposed levy is a new levy or a  
23 replacement levy, and if a replacement levy, an estimate of the  
24 proposed increase or decrease of the dollar rate of the tax levy as  
25 compared with the existing levy;

26 (e) An estimate of the total tax liability for one hundred thousand  
27 dollars of taxable value based on the estimated dollar amount of tax  
28 levy in (b) of this subsection; and

29 (f) A statement of the proposed use or uses of the tax levies  
30 requested.

31 (3) The county assessor, in spreading ((this)) any voter-approved  
32 tax upon the rolls, shall determine the eventual dollar rate required  
33 to produce the amount of dollars so voted upon, regardless of the  
34 estimate of dollar rate of tax levy carried in ((said)) the  
35 proposition. ((In the case of a school district proposition for a  
36 particular period, the dollar amount and the corresponding estimate of  
37 the dollar rate of tax levy shall be set forth for each of the years in  
38 that period. The dollar amount for each annual levy in the particular  
39 period may be equal or in different amounts.))



1 full year amount of tax unpaid from the date of delinquency until paid.  
2 Interest shall be calculated at the rate in effect at the time of  
3 payment of the tax, regardless of when the taxes were first delinquent.  
4 In addition, delinquent taxes under this section are subject to  
5 penalties as follows:

6 (a) A penalty of three percent of the full year amount of tax  
7 unpaid shall be assessed on the tax delinquent on June 1st of the year  
8 in which the tax is due.

9 (b) An additional penalty of eight percent shall be assessed on the  
10 amount of tax delinquent on December 1st of the year in which the tax  
11 is due.

12 ~~((Subsection (5) of this section notwithstanding, no interest~~  
13 ~~or penalties may be assessed for the period April 30, 1996, through~~  
14 ~~December 31, 1996, on delinquent taxes imposed in 1995 for collection~~  
15 ~~in 1996 which are imposed on the personal residences owned by military~~  
16 ~~personnel who participated in the situation known as "Joint Endeavor."~~

17 ~~(7))~~ For purposes of this chapter, "interest" means both interest  
18 and penalties.

19 ~~((8))~~ (7) All collections of interest on delinquent taxes shall  
20 be credited to the county current expense fund; but the cost of  
21 foreclosure and sale of real property, and the fees and costs of  
22 distraint and sale of personal property, for delinquent taxes, shall,  
23 when collected, be credited to the operation and maintenance fund of  
24 the county treasurer prosecuting the foreclosure or distraint or sale;  
25 and shall be used by the county treasurer as a revolving fund to defray  
26 the cost of further foreclosure, distraint and sale for delinquent  
27 taxes without regard to budget limitations.

28 **PART III**

29 **EFFECTIVE DATE**

30 NEW SECTION. **Sec. 301.** This act is effective for taxes levied for  
31 collection in 1998 and thereafter.

32 **PART IV**

33 **MISCELLANEOUS**

1        NEW SECTION.   **Sec. 401.**   Part headings used in this act are not any  
2 part of the law.

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