
SENATE BILL 6564

State of Washington

55th Legislature

1998 Regular Session

By Senators T. Sheldon, Roach, Heavey and McCaslin

Read first time 01/21/98. Referred to Committee on Financial Institutions, Insurance & Housing.

1 AN ACT Relating to the tax-exempt financing of parking facilities;
2 and amending RCW 43.180.300.

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

4 **Sec. 1.** RCW 43.180.300 and 1997 c 44 s 1 are each amended to read
5 as follows:

6 As used in RCW 43.180.310 through 43.180.360, the following terms
7 have the meanings indicated unless the context clearly requires
8 otherwise.

9 (1) "Construction" or "construct" means construction and
10 acquisition, whether by device, purchase, gift, lease, or otherwise.

11 (2) "Facilities" means land, rights in land, buildings, structures,
12 equipment, landscaping, utilities, approaches, roadways and parking,
13 handling and storage areas, and similar ancillary facilities.

14 (3) "Financing document" means a lease, sublease, installment sale
15 agreement, conditional sale agreement, loan agreement, mortgage, deed
16 of trust guaranty agreement, or other agreement for the purpose of
17 providing funds to pay or secure debt service on revenue bonds.

1 (4) "Improvement" means reconstruction, remodeling, rehabilitation,
2 extension, and enlargement. "To improve" means to reconstruct, to
3 remodel, to rehabilitate, to extend, and to enlarge.

4 (5) "Nonprofit corporation" means a nonprofit organization
5 described under section 501(c)(3) of the Internal Revenue Code, or
6 similar successor provisions.

7 (6) "Nonprofit facilities" means facilities owned or used by a
8 nonprofit corporation for any nonprofit activity described under
9 section 501(c)(3) of the Internal Revenue Code that qualifies such a
10 corporation for an exemption from federal income taxes under section
11 501(a) of the Internal Revenue Code, or similar successor provisions
12 (~~provided that~~). However, facilities which may be funded pursuant to
13 chapter 28B.07, 35.82, 43.180, or 70.37 RCW or parking facilities
14 designed primarily to support private commercial activity shall not be
15 included in this definition.

16 (7) "Project costs" means costs of (a) acquisition, construction,
17 and improvement of any facilities included in a nonprofit facility; (b)
18 architectural, engineering, consulting, accounting, and legal costs
19 related directly to the development, financing, and construction of a
20 nonprofit facility, including costs of studies assessing the
21 feasibility of a nonprofit facility; (c) finance costs, including
22 discounts, if any, the costs of issuing revenue bonds, and costs
23 incurred in carrying out any trust agreement; (d) interest during
24 construction and during the six months after estimated completion of
25 construction, and capitalized debt service or repair and replacement or
26 other appropriate reserves; (e) the refunding of any outstanding
27 obligations incurred for any of the costs outlined in this subsection;
28 and (f) other costs incidental to any of the costs listed in this
29 section.

30 (8) "Revenue bond" means a taxable or tax-exempt nonrecourse
31 revenue bond, nonrecourse revenue note, or other nonrecourse revenue
32 obligation issued for the purpose of providing financing to a nonprofit
33 corporation on an interim or permanent basis.

34 (9) "User" means one or more persons acting as lessee, purchaser,
35 mortgagor, or borrower under a financing document and may include a
36 party who transfers the right of use and occupancy to another party by
37 lease, sublease, or otherwise.

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