
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: H-4829.1/00

ATTY/TYPIST: JM:mos

BRIEF DESCRIPTION:

2 HB 2783 - H AMD
3 By Representative

4

5 On page 34, after line 3, insert the following:

6 "Sec. 35. RCW 84.36.381 and 1998 c 333 s 1 are each amended to
7 read as follows:

8 A person shall be exempt from any legal obligation to pay all or a
9 portion of the amount of excess and regular real property taxes due and
10 payable in the year following the year in which a claim is filed, and
11 thereafter, in accordance with the following:

12 (1) The property taxes must have been imposed upon a residence
13 which was occupied by the person claiming the exemption as a principal
14 place of residence as of the time of filing(~~(:—PROVIDED, That)~~). Any
15 person who sells, transfers, or is displaced from his or her residence
16 may transfer his or her exemption status to a replacement residence,
17 but no claimant shall receive an exemption on more than one residence
18 in any year(~~(:—PROVIDED FURTHER, That)~~). Confinement of the person to
19 a hospital or nursing home shall not disqualify the claim of exemption
20 if:

21 (a) The residence is temporarily unoccupied;

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

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

26 (2) The person claiming the exemption must have owned, at the time
27 of filing, in fee, as a life estate, or by contract purchase, the
28 residence on which the property taxes have been imposed or if the
29 person claiming the exemption lives in a cooperative housing
30 association, corporation, or partnership, (~~(such))~~ the person must own
31 a share therein representing the unit or portion of the structure in
32 which (~~(he—or—she))~~ the person resides. For purposes of this
33 subsection, a residence owned by a marital community or owned by
34 cotenants shall be deemed to be owned by each spouse or cotenant, and
35 any lease for life shall be deemed a life estate;

1 (3) The person claiming the exemption must be sixty-one years of
2 age or older on December 31st of the year in which the exemption claim
3 is filed, or must have been, at the time of filing, retired from
4 regular gainful employment by reason of physical disability(~~(+~~
5 ~~PROVIDED, That any~~)). A surviving spouse of ((a)) the person who was
6 receiving an exemption at the time of the person's death shall qualify
7 if the surviving spouse is fifty-seven years of age or older and
8 otherwise meets the requirements of this section;

9 (4) The amount that the person shall be exempt from an obligation
10 to pay shall be calculated on the basis of combined disposable income,
11 as defined in RCW 84.36.383. If the person claiming the exemption was
12 retired for two months or more of the assessment year, the combined
13 disposable income of ((such)) the person shall be calculated by
14 multiplying the average monthly combined disposable income of ((such))
15 the person during the months ((such)) the person was retired by twelve.
16 If the income of the person claiming exemption is reduced for two or
17 more months of the assessment year by reason of the death of the
18 person's spouse, or when other substantial changes occur in disposable
19 income that are likely to continue for an indefinite period of time,
20 the combined disposable income of ((such)) the person shall be
21 calculated by multiplying the average monthly combined disposable
22 income of ((such)) the person after ((such)) the occurrences by twelve.
23 If it is necessary to estimate income to comply with this subsection,
24 the assessor may require confirming documentation of ((such)) the
25 income prior to May 31st of the year following application;

26 (5)(a) A person who otherwise qualifies under this section and has
27 a combined disposable income of thirty thousand dollars or less shall
28 be exempt from all excess property taxes; and

29 (b)(i) A person who otherwise qualifies under this section and has
30 a combined disposable income of twenty-four thousand dollars or less
31 but greater than eighteen thousand dollars shall be exempt from all
32 regular property taxes on the greater of forty thousand dollars or
33 thirty-five percent of the valuation of ((his or her)) the residence,
34 but not to exceed sixty thousand dollars of the valuation of ((his or
35 her)) the residence; or

36 (ii) A person who otherwise qualifies under this section and has a
37 combined disposable income of eighteen thousand dollars or less shall
38 be exempt from all regular property taxes on the greater of fifty

1 thousand dollars or sixty percent of the valuation of (~~his or her~~)
2 the residence; and

3 (6) For a person who otherwise qualifies under this section and has
4 a combined disposable income of thirty thousand dollars or less, the
5 valuation of the residence shall be the assessed value of the residence
6 on the later of January 1, 1995, or January 1st of the assessment year
7 the person first qualifies under this section. If the person
8 subsequently fails to qualify under this section only for one year
9 because of high income, this same valuation shall be used upon
10 requalification. If the person fails to qualify for more than one year
11 in succession because of high income or fails to qualify for any other
12 reason, the valuation upon requalification shall be the assessed value
13 on January 1st of the assessment year in which the person requalifies.
14 If the person transfers the exemption under this section to a different
15 residence, the valuation of the different residence shall be the
16 assessed value of the different residence on January 1st of the
17 assessment year in which the person transfers the exemption.

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

21 This subsection does not apply to subsequent improvements to the
22 property in the year in which the improvements are made. Subsequent
23 improvements to the property shall be added to the value otherwise
24 determined under this subsection at their true and fair value in the
25 year in which they are made.

26 All taxpayers who qualify for exemption under this section shall be
27 allowed a credit against the state levy equal to the tax imposed on the
28 assessed value of the owner-occupied residential property for the state
29 levy.

30 **Sec. 36.** RCW 84.36.387 and 1992 c 206 s 14 are each amended to
31 read as follows:

32 (1) All claims for exemption under RCW 84.36.381 shall be made and
33 signed by the person entitled to the exemption, by (~~his or her~~) the
34 person's attorney in fact or in the event the residence of (~~such~~) the
35 person is under mortgage or purchase contract requiring accumulation of
36 reserves out of which the holder of the mortgage or contract is
37 required to pay real estate taxes, by (~~such~~) the holder or by the
38 owner, either before two witnesses or the (~~county~~) assessor or

1 ((his)) the assessor's deputy in the county where the real property is
2 located(~~(: PROVIDED, That)~~). If a claim for exemption is made by a
3 person living in a cooperative housing association, corporation, or
4 partnership, ((such)) the claim shall be made and signed by the person
5 entitled to the exemption and by the authorized agent of ((such)) the
6 cooperative.

7 (2) If the taxpayer is unable to personally submit ((his-own)) a
8 claim, the claim shall be submitted by a duly authorized agent or by a
9 guardian or other person charged with the care of the person or
10 property of ((such)) the taxpayer.

11 (3) All claims for exemption and renewal applications shall be
12 accompanied by such documented verification of income as shall be
13 prescribed by rule adopted by the department of revenue.

14 (4) Any person signing a false claim with the intent to defraud or
15 evade the payment of any tax shall be guilty of the offense of perjury.

16 (5) The tax liability of a cooperative housing association,
17 corporation, or partnership shall be reduced by the amount of tax
18 exemption to which a claimant residing therein is entitled and ((such))
19 the cooperative shall reduce any amount owed by the claimant to the
20 cooperative by ((such)) the exact amount of tax exemption or, if no
21 amount be owed, the cooperative shall make payment to the claimant of
22 ((such)) the exact amount of exemption.

23 (6) A remainderman or other person who would have otherwise paid
24 the tax on real property that is the subject of an exemption granted
25 under RCW 84.36.381 for an estate for life shall reduce the amount
26 which would have been payable by the life tenant to the remainderman or
27 other person to the extent of the exemption. If no amount is owed or
28 separately stated as an obligation between these persons, the
29 remainderman or other person shall make payment to the life tenant in
30 the exact amount of the exemption.

31 **Sec. 37.** RCW 84.52.080 and 1989 c 378 s 16 are each amended to
32 read as follows:

33 (1) The ((county)) assessor shall extend the taxes upon the tax
34 rolls in the form herein prescribed. The rate percent necessary to
35 raise the amounts of taxes levied for state and county purposes, and
36 for purposes of taxing districts coextensive with the county, shall be
37 computed upon the assessed value of the property of the county; the
38 rate percent necessary to raise the amount of taxes levied for any

1 taxing district within the county shall be computed upon the assessed
2 value of the property of the district; all taxes assessed against any
3 property shall be added together and extended on the rolls in a column
4 headed consolidated or total tax. In extending any tax, whenever it
5 amounts to a fractional part of a cent greater than five mills it shall
6 be made one cent, and whenever it amounts to five mills or less than
7 five mills it shall be dropped. The amount of all taxes shall be
8 entered in the proper columns, as shown by entering the rate percent
9 necessary to raise the consolidated or total tax and the total tax
10 assessed against the property.

11 (2) After entering the amounts under subsection (1) of this
12 section, the assessor shall compute the amount of credit authorized
13 under RCW 84.36.381 for each parcel of property owned and occupied by
14 senior citizens or persons who are retired from gainful employment by
15 reason of disability receiving the exemption authorized by RCW
16 84.36.381. The credit allowed on any property shall be extended on the
17 rolls in a column headed tax credit. The assessor shall subtract the
18 amount of the credit from the total tax and enter this amount in a
19 column headed tax payable.

20 (3) For the purpose of computing the rate necessary to raise the
21 amount of any excess levy in a taxing district which has classified or
22 designated forest land under chapter 84.33 RCW, other than the state,
23 the ((county)) assessor shall add the district's timber assessed value,
24 as defined in RCW 84.33.035, to the assessed value of the property((+
25 PROVIDED, That)). For school districts maintenance and operations
26 levies only one-half of the district's timber assessed value or eighty
27 percent of the timber roll of ((such)) the district in calendar year
28 1983 as determined under chapter 84.33 RCW, whichever is greater, shall
29 be added.

30 ((+3)) (4) Upon the completion of ((such)) the tax extension, it
31 shall be the duty of the ((county)) assessor to make in each assessment
32 book, tax roll or list a certificate in the following form:

33 I,, assessor of county, state of
34 Washington, do hereby certify that the foregoing is a correct list of
35 taxes levied on the real and personal property in the county of
36 for the year ((one)) two thousand ((nine hundred and))
37

1 Witness my hand this day of, ((19)). . .
2, ((County)) Assessor

3 ((+4)) (5) The ((county)) assessor shall deliver said tax rolls to
4 the ((county)) treasurer, on or before the fifteenth day of January,
5 taking receipt therefor, and at the same time the ((county)) assessor
6 shall provide the ((county)) auditor with an abstract of the tax rolls
7 showing the total amount of taxes collectible in each of the taxing
8 districts.

9 **Sec. 38.** RCW 84.56.050 and 1991 c 245 s 17 are each amended to
10 read as follows:

11 (1) On receiving the tax rolls the treasurer shall post all real
12 and personal property taxes from the rolls to the treasurer's tax roll,
13 and shall carry forward to the current tax rolls a memorandum of all
14 delinquent taxes on each and every description of property, and enter
15 the same on the property upon which the taxes are delinquent showing
16 the amounts for each year. The treasurer shall notify each taxpayer in
17 the county, at the expense of the county, of the amount of the real and
18 personal property((+)) and the current and delinquent amount of tax due
19 on the same((+and)).The treasurer shall have printed on the notice
20 the name of each tax and the levy made on the same. The ((county))
21 treasurer shall be the sole collector of all delinquent taxes and all
22 other taxes due and collectible on the tax rolls of the county((+)
23 PROVIDED, That)).

24 (2) The term "taxpayer" as used in this section shall mean any
25 person charged, or whose property is charged, with property tax; and
26 the person to be notified is that person whose name appears on the tax
27 roll herein mentioned((+PROVIDED, FURTHER, That)). If no name so
28 appears the person to be notified is that person shown by the
29 treasurer's tax rolls or duplicate tax receipts of any preceding year
30 as the payer of the tax last paid on the property in question.

31 NEW SECTION. **Sec. 39.** Section 35 of this act applies to taxes
32 levied in 2000 for collection in 2001 and thereafter."

33 Correct the title.

--- END ---