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HOUSE BILL 1949

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State of Washington

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2001 Regular Session

By Representatives Marine, Mulliken, DeBolt, Schoesler, Crouse, Sump, Jarrett, Woods, Buck, Ahern, Delvin, Benson, Anderson, Armstrong and Bush

Read first time 02/09/2001. Referred to Committee on Local Government & Housing.

1 AN ACT Relating to a tax exemption for property that has declined  
2 in value due to shoreline regulation; and adding a new section to  
3 chapter 84.36 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 84.36 RCW  
6 to read as follows:

7 (1) Eligible regulated real property is exempt from taxation from  
8 regular property tax levies by the state, city or town, and county.  
9 Eligible regulated real property means real property for which the land  
10 value has been reduced by twenty-five percent or more after November  
11 20, 2000, as a result of regulation under a shoreline master program  
12 adopted under chapter 90.58 RCW. The exemption continues until the  
13 cumulative tax savings due to the exemption equals or exceeds the  
14 reduction in value.

15 (2) A claim for exemption shall be made and filed on or before  
16 March 31st with the county assessor. The claim for exemption must be  
17 filed within three years of the adoption of the regulation. To  
18 establish the value reduction, the property owner may petition the  
19 county assessor under RCW 84.40.039 or establish the value reduction

1 through an appraisal report prepared by a state-certified general real  
2 estate appraiser licensed under chapter 18.140 RCW. The value  
3 reduction shall be determined with reference to the value on January  
4 1st of the year in which the claim for exemption is filed.

5 (3) If the value reduction is established by the assessor, the  
6 owner may petition the county board of equalization for a change in the  
7 value reduction within thirty days of being notified of the assessor's  
8 valuation. If the value reduction is established by an appraisal  
9 report, the state, city or town, or county in which the property is  
10 located may petition the county board of equalization for a change in  
11 the value reduction established in the appraisal report within thirty  
12 days of receiving the appraisal report. Upon review by the county  
13 board of equalization, board of tax appeals, or any court, the value  
14 reduction established by an appraisal report is presumed correct,  
15 however, this presumption is not a defense against any correction  
16 indicated by clear, cogent, and convincing evidence.

17 (4) The assessor shall either approve or deny the exemption and  
18 notify the property owner in writing by August 1st. The property owner  
19 may appeal the assessor's determination under the provisions of RCW  
20 84.48.010.

21 (5) The levy for a taxing district in any year shall be reduced as  
22 necessary to prevent exemptions under this section from resulting in a  
23 higher tax rate than would have occurred in the absence of the  
24 exemptions under this section.

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