
SENATE BILL 5523

State of Washington

57th Legislature

2001 Regular Session

By Senators Horn, Rossi and Snyder

Read first time 01/25/2001. Referred to Committee on Ways & Means.

1 AN ACT Relating to overpayments of tax concerning leased equipment
2 when a remedy to refund the overpayment no longer exists under the
3 nonclaim statute; and adding a new section to chapter 82.32 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 82.32 RCW
6 to read as follows:

7 In addition to the procedure set forth in RCW 82.32.060 and as an
8 exception to the four-year period explicitly set forth in RCW
9 82.32.060, an offset for a tax that has been paid in excess of that
10 properly due may be taken under the following conditions: (1) The tax
11 paid in excess of that properly due was sales tax paid on the purchase
12 of property acquired for leasing; (2) the taxpayer was at the time of
13 purchase entitled to purchase the property at wholesale under RCW
14 82.04.060; and (3) the taxpayer substantiates that sales tax was paid
15 at the time of purchase and that there was no intervening use of the
16 equipment by the taxpayer. The offset is applied to and reduced by the

1 amount of retail sales tax otherwise due from the beginning of lease of
2 the property until the offset is extinguished.

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