

CERTIFICATION OF ENROLLMENT

SENATE BILL 5082

Chapter 184, Laws of 2002

57th Legislature
2002 Regular Session

SALES AND USE TAX--RURAL COUNTY DEFINITION

EFFECTIVE DATE: 6/13/02

Passed by the Senate March 13, 2002
YEAS 44 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 13, 2002
YEAS 95 NAYS 2

FRANK CHOPP

**Speaker of the
House of Representatives**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5082** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK

Secretary

Approved March 27, 2002

FILED

March 27, 2002 - 9:04 a.m.

GARY LOCKE

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 5082

Passed Legislature - 2002 Regular Session

State of Washington **57th Legislature** **2001 Regular Session**

By Senators Haugen, T. Sheldon, Rasmussen and Gardner

Read first time 01/10/2001. Referred to Committee on Economic
Development & Telecommunications.

1 AN ACT Relating to defining rural counties for purposes of sales
2 and use tax for public facilities; and amending RCW 82.14.370.

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

4 **Sec. 1.** RCW 82.14.370 and 1999 c 311 s 101 are each amended to
5 read as follows:

6 (1) The legislative authority of a rural county may impose a sales
7 and use tax in accordance with the terms of this chapter. The tax is
8 in addition to other taxes authorized by law and shall be collected
9 from those persons who are taxable by the state under chapters 82.08
10 and 82.12 RCW upon the occurrence of any taxable event within the
11 county. The rate of tax shall not exceed 0.08 percent of the selling
12 price in the case of a sales tax or value of the article used in the
13 case of a use tax, except that for rural counties with population
14 densities between sixty and one hundred persons per square mile, the
15 rate shall not exceed 0.04 percent before January 1, 2000.

16 (2) The tax imposed under subsection (1) of this section shall be
17 deducted from the amount of tax otherwise required to be collected or
18 paid over to the department of revenue under chapter 82.08 or 82.12

1 RCW. The department of revenue shall perform the collection of such
2 taxes on behalf of the county at no cost to the county.

3 (3) Moneys collected under this section shall only be used for the
4 purpose of financing public facilities in rural counties. The public
5 facility must be listed as an item in the officially adopted county
6 overall economic development plan, or the economic development section
7 of the county's comprehensive plan, or the comprehensive plan of a city
8 or town located within the county for those counties planning under RCW
9 36.70A.040. For those counties that do not have an adopted overall
10 economic development plan and do not plan under the growth management
11 act, the public facility must be listed in the county's capital
12 facilities plan or the capital facilities plan of a city or town
13 located within the county. In implementing this section, the county
14 shall consult with cities, towns, and port districts located within the
15 county. For the purposes of this section, "public facilities" means
16 bridges, roads, domestic and industrial water facilities, sanitary
17 sewer facilities, earth stabilization, storm sewer facilities,
18 railroad, electricity, natural gas, buildings, structures,
19 telecommunications infrastructure, transportation infrastructure, or
20 commercial infrastructure, and port facilities in the state of
21 Washington.

22 (4) No tax may be collected under this section before July 1, 1998.
23 No tax may be collected under this section by a county more than
24 twenty-five years after the date that a tax is first imposed under this
25 section.

26 (5) For purposes of this section, "rural county" means a county
27 with a population density of less than one hundred persons per square
28 mile or a county smaller than two hundred twenty-five square miles as
29 determined by the office of financial management and published each
30 year by the department for the period July 1st to June 30th.

Passed the Senate March 13, 2002.

Passed the House March 13, 2002.

Approved by the Governor March 27, 2002.

Filed in Office of Secretary of State March 27, 2002.