
HOUSE BILL 2368

State of Washington

63rd Legislature

2014 Regular Session

By Representatives Sawyer, Walsh, Gregerson, Jinkins, Orwall, Robinson, Bergquist, Reykdal, Hansen, Van De Wege, Goodman, Sullivan, Hunt, Pettigrew, Ryu, Kagi, Lytton, Tarleton, Freeman, Ormsby, Walkinshaw, Morrell, Pollet, Appleton, and Riccelli; by request of Washington State Department of Commerce

Read first time 01/16/14. Referred to Committee on Community Development, Housing & Tribal Affairs.

1 AN ACT Relating to a surcharge for local homeless housing and
2 assistance; amending RCW 36.22.179; and providing an effective date.

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

4 **Sec. 1.** RCW 36.22.179 and 2012 c 90 s 1 are each amended to read
5 as follows:

6 (1) In addition to the surcharge authorized in RCW 36.22.178, and
7 except as provided in subsection (2) of this section, an additional
8 surcharge (~~of ten dollars~~) shall be charged by the county auditor for
9 each document recorded, which will be in addition to any other charge
10 allowed by law. (~~From July 1, 2009, through August 31, 2012, and from~~
11 ~~July 1, 2015, through June 30, 2017, the surcharge shall be thirty~~
12 ~~dollars. From September 1, 2012, through June 30, 2015,)~~ Beginning
13 July 1, 2015, the surcharge shall be forty dollars. The funds
14 collected pursuant to this section are to be distributed and used as
15 follows:

16 (a) The auditor shall retain two percent for collection of the fee,
17 and of the remainder shall remit sixty percent to the county to be
18 deposited into a fund that must be used by the county and its cities
19 and towns to accomplish the purposes of chapter 484, Laws of 2005, six

1 percent of which may be used by the county for administrative costs
2 related to its homeless housing plan, and the remainder for programs
3 which directly accomplish the goals of the county's local homeless
4 housing plan, except that for each city in the county which elects as
5 authorized in RCW 43.185C.080 to operate its own local homeless housing
6 program, a percentage of the surcharge assessed under this section
7 equal to the percentage of the city's local portion of the real estate
8 excise tax collected by the county shall be transmitted at least
9 quarterly to the city treasurer, without any deduction for county
10 administrative costs, for use by the city for program costs which
11 directly contribute to the goals of the city's local homeless housing
12 plan; of the funds received by the city, it may use six percent for
13 administrative costs for its homeless housing program.

14 (b) The auditor shall remit the remaining funds to the state
15 treasurer for deposit in the home security fund account. The
16 department may use twelve and one-half percent of this amount for
17 administration of the program established in RCW 43.185C.020, including
18 the costs of creating the statewide homeless housing strategic plan,
19 measuring performance, providing technical assistance to local
20 governments, and managing the homeless housing grant program. The
21 remaining eighty-seven and one-half percent is to be used by the
22 department to:

23 (i) Provide housing and shelter for homeless people including, but
24 not limited to: Grants to operate, repair, and staff shelters; grants
25 to operate transitional housing; partial payments for rental
26 assistance; consolidated emergency assistance; overnight youth
27 shelters; grants and vouchers designated for victims of human
28 trafficking and their families; and emergency shelter assistance; and

29 (ii) Fund the homeless housing grant program.

30 (2) (~~The surcharge imposed in this section applies to documents~~
31 ~~required to be recorded or filed under RCW 65.04.030(1) including, but~~
32 ~~not limited to: Full reconveyance; deeds of trust; deeds; liens~~
33 ~~related to real property; release of liens related to real property;~~
34 ~~notice of trustee sales; judgments related to real property; and all~~
35 ~~other documents pertaining to real property as determined by the~~
36 ~~department. However,)~~ The surcharge does not apply to (a) assignments
37 or substitutions of previously recorded deeds of trust, or (b)

1 documents recording a birth, marriage, divorce, or death or any
2 documents otherwise exempted from a recording fee under state law.

3 ~~((3) By August 31, 2012, the department shall submit to each~~
4 ~~county auditor a list of documents that are subject to the surcharge~~
5 ~~established in subsection (1) of this section.~~

6 ~~(4) If section 2, chapter 90, Laws of 2012 is not enacted into law~~
7 ~~by July 31, 2012, section 1, chapter 90, Laws of 2012 is null and~~
8 ~~void.))~~

9 NEW SECTION. **Sec. 2.** This act takes effect July 1, 2015.

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