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HOUSE BILL 1649

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State of Washington

64th Legislature

2015 Regular Session

By Representatives Sawyer and Shea

Read first time 01/26/15. Referred to Committee on Community Development, Housing & Tribal Affairs.

1 AN ACT Relating to the recoupment of certain costs by collection  
2 agencies; and amending RCW 36.22.179.

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

4 **Sec. 1.** RCW 36.22.179 and 2014 c 200 s 1 are each amended to  
5 read 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 September 1, 2012, through June 30, 2019, the  
11 surcharge shall be forty dollars. The funds collected pursuant to  
12 this section are to be distributed and used as follows:

13 (a) The auditor shall retain two percent for collection of the  
14 fee, and of the remainder shall remit sixty percent to the county to  
15 be deposited into a fund that must be used by the county and its  
16 cities and towns to accomplish the purposes of chapter 484, Laws of  
17 2005, six percent of which may be used by the county for  
18 administrative costs related to its homeless housing plan, and the  
19 remainder for programs which directly accomplish the goals of the  
20 county's local homeless housing plan, except that for each city in  
21 the county which elects as authorized in RCW 43.185C.080 to operate

1 its own local homeless housing program, a percentage of the surcharge  
2 assessed under this section equal to the percentage of the city's  
3 local portion of the real estate excise tax collected by the county  
4 shall be transmitted at least quarterly to the city treasurer,  
5 without any deduction for county administrative costs, for use by the  
6 city for program costs which directly contribute to the goals of the  
7 city's local homeless housing plan; of the funds received by the  
8 city, it may use six percent for administrative costs for its  
9 homeless housing program.

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

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

27 (ii) Fund the homeless housing grant program.

28 (2) The surcharge imposed in this section does not apply to (a)  
29 assignments or substitutions of previously recorded deeds of trust,  
30 (b) documents recording a birth, marriage, divorce, or death, (c) any  
31 recorded documents otherwise exempted from a recording fee or  
32 additional surcharges under state law, (d) marriage licenses issued  
33 by the county auditor, or (e) documents recording a state, county, or  
34 city lien or satisfaction of lien.

35 (3) A collection agency may recoup the surcharge imposed in this  
36 section from the debtor for documents recording a lien or  
37 satisfaction of lien.

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