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HOUSE BILL 1856

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State of Washington                      65th Legislature                      2017 Regular Session

By Representatives Fitzgibbon, Wilcox, Barkis, and Haler

Read first time 02/01/17. Referred to Committee on Finance.

1            AN ACT Relating to creating a sales and use tax exemption for  
2 commercial car wash facilities; adding a new section to chapter 82.08  
3 RCW; adding a new section to chapter 82.12 RCW; and creating new  
4 sections.

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

6            NEW SECTION.    **Sec. 1.**    (1) This section is the tax preference  
7 performance statement for the tax preferences in sections 2 and 3 of  
8 this act. This performance statement is only intended to be used for  
9 the subsequent evaluation of the tax preferences. It is not intended  
10 to create a private right of action by any party or be used to  
11 determine eligibility for preferential tax treatment.

12            (2) The legislature categorizes this tax preference as one  
13 intended to accomplish a general purpose as indicated in RCW  
14 82.32.808(2) (a), (b), (c), and (f).

15            (3) It is the legislature's specific public policy objective to  
16 provide sales and use tax relief for staffed and self-service  
17 commercial car wash facilities to accomplish the following general  
18 purposes:

19            (a) To encourage the public to use staffed and self-service  
20 commercial car wash facilities by making them affordable, thereby  
21 reducing the flow of untreated runoff into the state's streams,

1 lakes, and marine urban areas originating from residential car  
2 washing;

3 (b) To increase industry competitiveness against a generally  
4 accepted practice of residential car washing that results in  
5 substantial pollution and waste of natural resources, originating in  
6 residential neighborhoods;

7 (c) To create and retain jobs by offsetting increasing costs  
8 associated with higher clean water standards (fish consumption rule),  
9 permitting, increased wage rates and access to treatment facilities  
10 that create barriers to entry and retention of new and ongoing  
11 commercial car washing facilities, respectively; and

12 (d) To promote the declared public policy of the state of  
13 Washington to maintain the highest possible standards to ensure the  
14 purity of all waters of the state consistent with public health and  
15 public enjoyment thereof, the propagation and protection of wildlife,  
16 birds, game, fish, and other aquatic life, and industrial development  
17 of the state, and to that end require the use of all known available  
18 and reasonable methods by industries and others to prevent and  
19 control the pollution of the waters of the state of Washington.  
20 Consistent with this policy, the state of Washington will exercise  
21 its powers, as fully and as effectively as possible, to retain and  
22 secure high quality for all waters of the state.

23 (4) To measure the effectiveness of the exemption provided in  
24 this act in achieving the specific public policy objectives described  
25 in subsection (3) of this section, the joint legislative audit and  
26 review committee must evaluate this tax preference. In order to  
27 obtain the data necessary to perform the evaluation in this  
28 subsection, the joint legislative audit and review committee may  
29 refer to data provided to the department of revenue.

30 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.08  
31 RCW to read as follows:

32 The tax levied by RCW 82.08.020 does not apply to charges for  
33 labor and services rendered in respect to staffed and self-service  
34 commercial car wash facilities.

35 NEW SECTION. **Sec. 3.** A new section is added to chapter 82.12  
36 RCW to read as follows:

1           The provisions of this chapter do not apply with respect to the  
2 use of labor and services rendered in respect to staffed and self-  
3 service commercial car wash facilities.

4           NEW SECTION.   **Sec. 4.**   This act is exempt from the expiration  
5 date provisions of RCW 82.32.805(1)(a).

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