

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 6241

54th Legislature
1996 Regular Session

Passed by the Senate March 4, 1996
YEAS 44 NAYS 0

President of the Senate

Passed by the House March 1, 1996
YEAS 92 NAYS 5

**Speaker of the
House of Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6241** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 6241

AS AMENDED BY THE HOUSE

Passed Legislature - 1996 Regular Session

State of Washington 54th Legislature 1996 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Sellar and Snyder)

Read first time 01/26/96.

1 AN ACT Relating to hotel and motel taxes in certain cities and
2 towns; amending RCW 67.28.210; and adding new sections to chapter 67.28
3 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 67.28 RCW
6 to read as follows:

7 (1) The legislative body of a town with a population of at least
8 three hundred twenty-five but less than five hundred fifty in a county
9 that borders on the northeastern slope of the Cascade mountains with a
10 population of at least thirty-six thousand but less than forty-two
11 thousand may levy and collect a special excise tax not to exceed three
12 percent on the sale of or charge made for the furnishing of lodging by
13 a hotel, rooming house, tourist court, motel, trailer camp, and the
14 granting of a similar license to use real property, as distinguished
15 from the renting or leasing of real property. For the purposes of this
16 tax, it is presumed that the occupancy of real property for a
17 continuous period of one month or more constitutes a rental or lease of
18 real property and not a mere license to use or to enjoy the property.

1 (2) The tax authorized in subsection (1) of this section is in
2 addition to any other tax authorized by law.

3 (3) A seller, as defined in RCW 82.08.010, who is required to
4 collect a tax under this section, shall pay the tax to the town as
5 provided in RCW 67.28.200. The deduction from state taxes under RCW
6 67.28.190 does not apply to taxes imposed under this section.

7 (4) The tax levied and collected under this section shall be
8 credited to a special fund in the treasury of the town. The taxes may
9 be levied only for the purpose of tourism promotion.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 67.28 RCW
11 to read as follows:

12 (1) The legislative body of a city with a population of at least
13 five hundred but less than one thousand in a county with a population
14 of at least eighty thousand but less than one hundred fifteen thousand
15 may levy and collect a special excise tax not to exceed two percent on
16 the sale of or charge made for the furnishing of lodging by a hotel,
17 rooming house, tourist court, motel, trailer camp, and the granting of
18 a similar license to use real property, as distinguished from the
19 renting or leasing of real property. For the purposes of this tax, it
20 is presumed that the occupancy of real property for a continuous period
21 of one month or more constitutes a rental or lease of real property and
22 not a mere license to use or to enjoy the property.

23 (2) The tax authorized in subsection (1) of this section is in
24 addition to any other tax authorized by law.

25 (3) A seller, as defined in RCW 82.08.010, who is required to
26 collect a tax under this section, shall pay the tax to the city as
27 provided in RCW 67.28.200. The deduction from state taxes under RCW
28 67.28.190 does not apply to taxes imposed under this section.

29 (4) The tax levied and collected under this section shall be
30 credited to a special fund in the treasury of the city. The taxes may
31 be levied only for the purpose of paying all or any part of the cost of
32 acquisition, construction, or operation of a performing and visual arts
33 center or to pay or secure the payment of all or any portion of general
34 obligation bonds or revenue bonds issued for such purpose.

35 NEW SECTION. **Sec. 3.** A new section is added to chapter 67.28 RCW
36 to read as follows:

1 (1) The legislative body of a city with a population of at least
2 thirty thousand but less than sixty thousand in a county with a
3 population of at least one hundred thousand but less than one hundred
4 forty-five thousand may levy and collect a special excise tax not to
5 exceed two percent on the sale of or charge made for the furnishing of
6 lodging by a hotel, rooming house, tourist court, motel, trailer camp,
7 and the granting of a similar license to use real property, as
8 distinguished from the renting or leasing of real property. For the
9 purposes of this tax, it is presumed that the occupancy of real
10 property for a continuous period of one month or more constitutes a
11 rental or lease of real property and not a mere license to use or to
12 enjoy the property.

13 (2) The tax authorized in subsection (1) of this section is in
14 addition to any other tax authorized by law.

15 (3) A seller, as defined in RCW 82.08.010, who is required to
16 collect a tax under this section, shall pay the tax to the city as
17 provided in RCW 67.28.200. The deduction from state taxes under RCW
18 67.28.190 does not apply to the tax imposed under this section.

19 (4) The tax levied and collected under this section shall be
20 credited to a special fund in the treasury of the city. The tax may be
21 levied only for the purpose of paying all or any part of the cost of
22 acquisition, construction, or operation of convention center facilities
23 or to pay or secure the payment of all or any portion of general
24 obligation bonds or revenue bonds issued for such purpose.

25 **Sec. 4.** RCW 67.28.210 and 1995 c 290 s 1 are each amended to read
26 as follows:

27 All taxes levied and collected under RCW 67.28.180, 67.28.240, and
28 67.28.260 shall be credited to a special fund in the treasury of the
29 county or city imposing such tax. Such taxes shall be levied only for
30 the purpose of paying all or any part of the cost of acquisition,
31 construction, or operating of stadium facilities, convention center
32 facilities, performing arts center facilities, and/or visual arts
33 center facilities or to pay or secure the payment of all or any portion
34 of general obligation bonds or revenue bonds issued for such purpose or
35 purposes under this chapter, or to pay for advertising, publicizing, or
36 otherwise distributing information for the purpose of attracting
37 visitors and encouraging tourist expansion when a county or city has
38 imposed such tax for such purpose, or as one of the purposes hereunder,

1 and until withdrawn for use, the moneys accumulated in such fund or
2 funds may be invested in interest bearing securities by the county or
3 city treasurer in any manner authorized by law. In addition such taxes
4 may be used to develop strategies to expand tourism: PROVIDED, That
5 any county, and any city within a county, bordering upon Grays Harbor
6 may use the proceeds of such taxes for construction and maintenance of
7 a movable tall ships tourist attraction in cooperation with a tall
8 ships restoration society, except to the extent that such proceeds are
9 used for payment of principal and interest on debt incurred prior to
10 June 11, 1986: PROVIDED FURTHER, That any city or county may use the
11 proceeds of such taxes for the refurbishing and operation of a steam
12 railway or historic maritime vessels used primarily for passenger
13 transportation for tourism promotion purposes: PROVIDED FURTHER, That
14 any city bordering on the Pacific Ocean or on Baker Bay with a
15 population of not less than eight hundred and the county in which such
16 a city is located, a city bordering on the Skagit river with a
17 population of not less than twenty thousand, or any city within a
18 county made up entirely of islands may use the proceeds of such taxes
19 for funding special events or festivals, or for the acquisition,
20 construction, or operation of publicly owned tourist promotional
21 infrastructures, structures, or buildings including but not limited to
22 an ocean beach boardwalk, public docks, and viewing towers: PROVIDED
23 FURTHER, That any county which imposes a tax under RCW 67.28.182 or any
24 city with a population less than fifty thousand in such county may use
25 the proceeds of the tax levied and collected under RCW 67.28.180 to
26 provide public restroom facilities available to and intended for use by
27 visitors: PROVIDED FURTHER, That any county made up entirely of
28 islands, and any city or town that has a population less than five
29 thousand, may use the proceeds of the tax levied and collected under
30 RCW 67.28.180 to provide public restroom facilities available to and
31 intended for use by visitors: PROVIDED FURTHER, That any city or
32 county may use the proceeds of such taxes for funding a civic festival,
33 if the following conditions are met: The festival is a community-wide
34 event held not more than once annually; the festival is approved by the
35 city, town, or county in which it is held; the festival is sponsored by
36 an exempt organization defined in section 501(c)(3), (4), or (6) of the
37 federal internal revenue code; the festival provides family-oriented
38 events suiting a broad segment of the community; and the proceeds of
39 such taxes are used solely for advertising and promotional materials

1 intended to attract overnight visitors: PROVIDED FURTHER, That any
2 city may use the proceeds of such taxes for street banners to attract
3 and welcome tourists.

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