
HOUSE BILL 2958

State of Washington

56th Legislature

2000 Regular Session

By Representatives Veloria, Dunn, Eickmeyer, Fortunato, Benson, DeBolt and Kenney

Read first time 01/25/2000. Referred to Committee on Economic Development, Housing & Trade.

1 AN ACT Relating to baseball stadiums; and amending RCW 82.14.360.

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

3 **Sec. 1.** RCW 82.14.360 and 1995 3rd sp.s. c 1 s 201 are each
4 amended to read as follows:

5 (1) The legislative authority of a county with a population of one
6 million or more may impose a special stadium sales and use tax upon the
7 retail sale or use within the county by restaurants, taverns, and bars
8 of food and beverages that are taxable by the state under chapters
9 82.08 and 82.12 RCW. The rate of the tax shall not exceed five-tenths
10 of one percent of the selling price in the case of a sales tax, or
11 value of the article used in the case of a use tax. The tax imposed
12 under this subsection is in addition to any other taxes authorized by
13 law and shall not be credited against any other tax imposed upon the
14 same taxable event. As used in this section, "restaurant" does not
15 include grocery stores, mini-markets, or convenience stores.

16 (2) The legislative authority of a county with a population of one
17 million or more may impose a special stadium sales and use tax upon
18 retail car rentals within the county that are taxable by the state
19 under chapters 82.08 and 82.12 RCW. The rate of the tax shall not

1 exceed two percent of the selling price in the case of a sales tax, or
2 rental value of the vehicle in the case of a use tax. The tax imposed
3 under this subsection is in addition to any other taxes authorized by
4 law and shall not be credited against any other tax imposed upon the
5 same taxable event.

6 (3) The revenue from the taxes imposed under this section shall be
7 used for the purpose of principal and interest payments on bonds,
8 issued by the county, to acquire, construct, own, remodel, maintain,
9 equip, reequip, repair, and operate a baseball stadium. Revenues from
10 the taxes authorized in this section may be used for design and other
11 preconstruction costs of the baseball stadium until bonds are issued
12 for the baseball stadium. The county shall issue bonds, in an amount
13 determined to be necessary by the public facilities district, for the
14 district to acquire, construct, own, and equip the baseball stadium.
15 The county shall have no obligation to issue bonds in an amount greater
16 than that which would be supported by the tax revenues under this
17 section, RCW 82.14.0485, and 36.38.010(~~(+3)~~) (4) (a) and (b). If the
18 revenue from the taxes imposed under this section exceeds the amount
19 needed for such principal and interest payments in any year, the excess
20 shall be used solely:

21 (a) For early retirement of the bonds issued for the baseball
22 stadium; and

23 (b) If the revenue from the taxes imposed under this section
24 exceeds the amount needed for the purposes in (a) of this subsection in
25 any year, the excess shall be placed in a contingency fund which may
26 only be used to pay unanticipated capital costs on the baseball
27 stadium, excluding any cost overruns on initial construction.

28 (4) The taxes authorized under this section shall not be collected
29 after June 30, 1997, unless the county executive has certified to the
30 department of revenue that a professional major league baseball team
31 has made a binding and legally enforceable contractual commitment to:

32 (a) Play at least ninety percent of its home games in the stadium
33 for a period of time not shorter than the term of the bonds issued to
34 finance the initial construction of the stadium;

35 (b) Contribute forty-five million dollars toward the reasonably
36 necessary preconstruction costs including, but not limited to
37 architectural, engineering, environmental, and legal services, and the
38 cost of construction of the stadium, or to any associated public
39 purpose separate from bond-financed property, including without

1 limitation land acquisition, parking facilities, equipment,
2 infrastructure, or other similar costs associated with the project,
3 which contribution shall be made during a term not to exceed the term
4 of the bonds issued to finance the initial construction of the stadium.
5 If all or part of the contribution is made after the date of issuance
6 of the bonds, the team shall contribute an additional amount equal to
7 the accruing interest on the deferred portion of the contribution,
8 calculated at the interest rate on the bonds maturing in the year in
9 which the deferred contribution is made. No part of the contribution
10 may be made without the consent of the county until a public facilities
11 district is created under chapter 36.100 RCW to acquire, construct,
12 own, remodel, maintain, equip, reequip, repair, and operate a baseball
13 stadium. To the extent possible, contributions shall be structured in
14 a manner that would allow for the issuance of bonds to construct the
15 stadium that are exempt from federal income taxes; ((and))

16 (c) Share a portion of the profits generated by the baseball team
17 from the operation of the professional franchise for a period of time
18 equal to the term of the bonds issued to finance the initial
19 construction of the stadium, after offsetting any losses incurred by
20 the baseball team after the effective date of chapter 14, Laws of 1995
21 1st sp. sess. Such profits and the portion to be shared shall be
22 defined by agreement between the public facilities district and the
23 baseball team. The shared profits shall be used to retire the bonds
24 issued to finance the initial construction of the stadium. If the
25 bonds are retired before the expiration of their term, the shared
26 profits shall be paid to the public facilities district; and

27 (d) Provide an affordable price for at least ten percent of the
28 seats in the baseball stadium for home games of the professional major
29 league baseball team. For purposes of this subsection (4)(d),
30 "affordable price" means a price that is equal to or less than the
31 average of the lowest ticket prices charged by all other major league
32 baseball teams.

33 (5) No tax may be collected under this section before January 1,
34 1996. Before collecting the taxes under this section or issuing bonds
35 for a baseball stadium, the county shall create a public facilities
36 district under chapter 36.100 RCW to acquire, construct, own, remodel,
37 maintain, equip, reequip, repair, and operate a baseball stadium.

38 (6) The county shall assemble such real property as the district
39 determines to be necessary as a site for the baseball stadium.

1 Property which is necessary for this purpose that is owned by the
2 county on October 17, 1995, shall be contributed to the district, and
3 property which is necessary for this purpose that is acquired by the
4 county on or after October 17, 1995, shall be conveyed to the district.

5 (7) The proceeds of any bonds issued for the baseball stadium shall
6 be provided to the district.

7 (8) As used in this section, "baseball stadium" means "baseball
8 stadium" as defined in RCW 82.14.0485.

9 (9) The taxes imposed under this section shall expire when the
10 bonds issued for the construction of the baseball stadium are retired,
11 but not later than twenty years after the taxes are first collected.

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