
SUBSTITUTE HOUSE BILL 1022

State of Washington 59th Legislature 2005 Regular Session

By House Committee on Finance (originally sponsored by Representatives Orcutt, Buck, Kessler, Takko and Blake)

READ FIRST TIME 03/07/05.

1 AN ACT Relating to providing tax incentives for the construction of
2 tsunami resistant structures; adding a new section to chapter 82.04
3 RCW; adding a new section to chapter 82.08 RCW; adding a new section to
4 chapter 82.12 RCW; creating a new section; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that tsunamis present
7 a great danger to coastal communities in Washington state. The
8 legislature further finds that coastal communities lack adequate
9 tsunami resistant structures to protect human lives. It is therefore
10 the intent of the legislature to provide incentives to construct
11 tsunami resistant structures. It is further the intent of the
12 legislature that these tsunami resistant structures be used for other
13 purposes when not in use for emergency shelter such as training for
14 emergency responders.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.04 RCW
16 to read as follows:

17 (1) This chapter does not apply to amounts received as payment for

1 the engineering, planning, design, or construction of a tsunami
2 resistant structure.

3 (2) For the purposes of this section, the following definitions
4 apply:

5 (a) "Coastal county" means any county that borders the Pacific
6 ocean.

7 (b) "Local government" means a coastal county, or a city, town, or
8 Indian tribe within the county.

9 (c) "Tsunami resistant structure" means a structure that:

10 (i)(A) Meets construction and engineering standards, adopted by a
11 local government pursuant to guidance issued by the national oceanic
12 and atmospheric administration or the federal emergency management
13 agency of the department of homeland security under the national
14 tsunami hazard mitigation program, for the technical design and
15 construction of structures that allow for vertical evacuation from
16 tsunami conditions. The standards must address tsunami conditions that
17 result from an earthquake of magnitude nine or higher and for which the
18 epicenter is located along the cascadia subduction zone at a point that
19 represents the shortest distance from the zone to the planned location
20 of the structure. This subsection (2)(c)(i)(A) applies to any
21 structure for which construction commences at least three months
22 following the issuance of final guidance by the administration or
23 agency as provided in the federal register; or

24 (B) Is designed and certified by a professionally licensed and
25 appropriately qualified engineer to withstand the simultaneous forces
26 of: (I) An earthquake of magnitude nine or higher and for which the
27 epicenter is located along the cascadia subduction zone at a point that
28 represents the shortest distance from the zone to the planned location
29 of the structure; and (II) a tsunami generated by the earthquake. This
30 subsection (2)(c)(i)(B) applies to any structure for which construction
31 commences earlier than three months following the issuance of the final
32 guidance under (c)(i)(A) of this subsection. The requirements of this
33 subsection (2)(c)(i)(B) are met only upon receipt by the department of
34 an affidavit signed by the engineer that certifies that the planned
35 structure is designed to withstand the earthquake and tsunami forces;

36 (ii) Is designed for the primary purpose of providing emergency
37 shelter to the residents of the local government in the event of a
38 tsunami;

- 1 (iii) Is not suitable for long-term residential habitation; and
- 2 (iv) May be used as a training site for emergency responders.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 82.08 RCW
4 to read as follows:

5 (1) The tax levied by RCW 82.08.020 does not apply to the
6 construction of a tsunami resistant structure, including materials,
7 services, and labor used in the construction of the structure.

8 (2) The definitions in section 2 of this act apply to this section.

9 NEW SECTION. **Sec. 4.** A new section is added to chapter 82.12 RCW
10 to read as follows:

11 (1) The provisions of this chapter do not apply with respect to the
12 use of materials, services, or labor for the purpose of constructing a
13 tsunami resistant structure.

14 (2) The definitions in section 2 of this act apply to this section.

15 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
16 preservation of the public peace, health, or safety, or support of the
17 state government and its existing public institutions, and takes effect
18 immediately.

--- END ---