

**HB 1890 - DIGEST**

(SEE ALSO PROPOSED 1ST SUB)

Declares that, in 1967, the legislature amended RCW 82.04.260 in chapter 149, Laws of 1967 ex. sess. to authorize a preferential business and occupation tax rate for slaughtering, breaking, and/or processing perishable meat products and/or selling the same at wholesale.

Finds that RCW 82.04.260 was interpreted by the state supreme court on January 13, 2005, in Agrilink Foods, Inc. v. Department of Revenue, Docket No. 74478-5. The supreme court held that the preferential business and occupation tax rate on the slaughtering, breaking, and/or processing of perishable meat products applied to the processing of perishable meat products into nonperishable finished products, such as canned food.

Declares that the sole purpose of chapter 149, Laws of 1967 ex. sess. as codified in RCW 82.04.260 has always been to create a preferential business and occupation tax rate for the slaughtering, breaking, or processing of perishable meat products and/or selling the finished perishable meat products at wholesale. The intent was not to allow the preferential tax rate for the processing of perishable meat products into nonperishable finished products or selling the nonperishable finished products at wholesale.

Declares that the purpose of this act is to make retroactive, remedial, curative, and technical amendments to clarify the intent of chapter 149, Laws of 1967 ex. sess. and RCW 82.04.260 and resolve any ambiguity.

Declares an intent to establish that, prior to the effective date of this act, the preferential business and occupation tax rate for the "slaughtering, breaking, and/or processing of perishable meat products and/or selling the same at wholesale" in RCW 82.04.260 applied only to activities in which the end products continued to be perishable meat products, and this act applies retroactively to accomplish this purpose.