

CERTIFICATION OF ENROLLMENT  
SECOND SUBSTITUTE HOUSE BILL 1591

61st Legislature  
2010 Regular Session

Passed by the House February 13, 2010  
Yeas 56 Nays 38

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**Speaker of the House of Representatives**

Passed by the Senate March 3, 2010  
Yeas 44 Nays 2

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 1591** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**SECOND SUBSTITUTE HOUSE BILL 1591**

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Passed Legislature - 2010 Regular Session

**State of Washington                      61st Legislature                      2010 Regular Session**

**By** House Transportation (originally sponsored by Representatives  
Upthegrove, Clibborn, Simpson, and Liias)

READ FIRST TIME 01/25/10.

1            AN ACT Relating to the use of certain transportation benefit  
2 district funds; and amending RCW 36.73.015, 36.73.120, and 82.14.0455.

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

4            **Sec. 1.** RCW 36.73.015 and 2006 c 311 s 24 are each amended to read  
5 as follows:

6            The definitions in this section apply throughout this chapter  
7 unless the context clearly requires otherwise.

8            (1) "District" means a transportation benefit district created  
9 under this chapter.

10           (2) "City" means a city or town.

11           (3) "Transportation improvement" means a project contained in the  
12 transportation plan of the state ~~((or))~~ a regional transportation  
13 planning organization, city, county, or eligible jurisdiction as  
14 identified in RCW 36.73.020(2). A project may include investment in  
15 new or existing highways of statewide significance, principal arterials  
16 of regional significance, high capacity transportation, public  
17 transportation, and other transportation projects and programs of  
18 regional or statewide significance including transportation demand

1 management. Projects may also include the operation, preservation, and  
2 maintenance of these facilities or programs.

3 **Sec. 2.** RCW 36.73.120 and 2007 c 329 s 4 are each amended to read  
4 as follows:

5 (1) Subject to the provisions in RCW 36.73.065, a district may  
6 impose a fee or charge on the construction or reconstruction of  
7 commercial buildings, industrial buildings, or on any other commercial  
8 or industrial building or building space or appurtenance, or on the  
9 development, subdivision, classification, or reclassification of land  
10 for commercial purposes, only if done in accordance with chapter 39.92  
11 RCW.

12 (2) Any fee or charge imposed under this section shall be used  
13 exclusively for transportation improvements (~~constructed by a~~  
14 ~~district~~) as defined in RCW 36.73.015. The fees or charges imposed  
15 must be reasonably necessary as a result of the impact of development,  
16 construction, or classification or reclassification of land on  
17 identified transportation needs.

18 (3) If a county or city within the district area is levying a fee  
19 or charge for a transportation improvement, the fee or charge shall be  
20 credited against the amount of the fee or charge imposed by the  
21 district.

22 **Sec. 3.** RCW 82.14.0455 and 2006 c 311 s 16 are each amended to  
23 read as follows:

24 (1) Subject to the provisions in RCW 36.73.065, a transportation  
25 benefit district under chapter 36.73 RCW may fix and impose a sales and  
26 use tax in accordance with the terms of this chapter. The tax  
27 authorized in this section is in addition to any other taxes authorized  
28 by law and shall be collected from those persons who are taxable by the  
29 state under chapters 82.08 and 82.12 RCW upon the occurrence of any  
30 taxable event within the boundaries of the district. The rate of tax  
31 shall not exceed two-tenths of one percent of the selling price in the  
32 case of a sales tax, or value of the article used, in the case of a use  
33 tax. Except as provided in subsection (2) of this section, the tax may  
34 not be imposed for a period exceeding ten years. This tax, if not  
35 imposed under the conditions of subsection (2) of this section, may be

1 extended for a period not exceeding ten years with an affirmative vote  
2 of the voters voting at the election.

3 (2) The voter-approved sales tax initially imposed under this  
4 section after July 1, 2010, may be imposed for a period exceeding ten  
5 years if the moneys received under this section are dedicated for the  
6 repayment of indebtedness incurred in accordance with the requirements  
7 of chapter 36.73 RCW.

8 (3) Money received from the tax imposed under this section must be  
9 spent in accordance with the requirements of chapter 36.73 RCW.

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