H-3539.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**HOUSE BILL 2622**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 65th Legislature 2018 Regular Session**

**By** Representatives Manweller and Pike

AN ACT Relating to sales and use tax for county rail districts; and adding a new section to chapter 82.14 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 82.14 RCW to read as follows:

(1) The act will be known as "The James Hamre and Zach Willhoite Act."

(2) The governing body of a county rail district created before July 31, 2023, under chapter 36.60 RCW may impose a sales and use tax in accordance with the terms of this chapter. The tax is in addition to other taxes authorized by law and must be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the county rail district. The rate of tax may not exceed 0.033 percent of the selling price in the case of a sales tax or value of the article used in the case of a use tax.

(3) The tax imposed under subsection (2) of this section must be deducted from the amount of tax otherwise required to be collected or paid over to the department under chapter 82.08 or 82.12 RCW. The department must perform the collection of such taxes on behalf of the county at no cost to the county rail district.

(4) No tax may be collected under this section before January 1, 2019.

(5) Moneys collected under this section may only be used for the purposes set forth in chapter 36.60 RCW, and must be matched with an amount from other public or private sources equal to thirty-three percent of the amount collected under this section. For the purposes of this section, public or private sources includes, but is not limited to, cash or in-kind contributions used in all phases of providing and funding improved rail freight or passenger service, or both, land that is donated and used for the siting of structures, tracks, and otherwise for providing improved rail freight or passenger service, or both, cash or in-kind contributions from public or private foundations, corporations, or individuals, or amounts attributed to private sector partners as part of a public and private partnership agreement negotiated by the county rail district.

(6) A county rail district created under chapter 36.60 RCW is not eligible to impose the tax under this section in any portion of such county in which a public facilities district created under chapter 35.57 RCW, or a public facilities district created under chapter 36.100 RCW, has imposed a tax under RCW 82.14.390.

(7) A county rail district created under chapter 36.60 RCW is not eligible to impose the tax under this section if the legislative authority of the county where the county rail district is located has imposed a sales and use tax under RCW 82.14.0485 or 82.14.0494.

**--- END ---**