H-4145.1

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

**HOUSE BILL 2935**

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

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

**By** Representatives Orcutt, Hargrove, Johnson, and Young

AN ACT Relating to allowing an additional property tax exemption for seniors, veterans, and persons with disabilities leasing land in a mobile home park or manufactured housing community; adding a new section to chapter 84.36 RCW; creating new sections; and providing expiration dates.

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

NEW SECTION. **Sec.**  The legislature finds that many people live in a mobile or manufactured home they own but lease the land on which the home is located. The legislature further finds that senior citizens, veterans, and persons with disabilities may qualify for a property tax exemption for their mobile or manufactured home while paying a higher property tax on the land in the form of rent. Therefore, the legislature intends for low-income senior citizens, veterans, and persons with disabilities who rent land in a mobile home park or manufactured housing community to benefit from the property tax exemption under RCW 84.36.381 as those who own land do.

NEW SECTION. **Sec.**  (1) This section is the tax preference performance statement for the tax preference contained in section 3, chapter . . ., Laws of 2018 (section 3 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes this tax preference as one intended to provide tax relief for certain businesses or individuals, as indicated in RCW 82.32.808(2)(e).

(3) It is the legislature's specific public policy objective to provide tax relief to senior citizens, persons with disabilities, and veterans who own a mobile or manufactured home and rent or lease space in a mobile home park or manufactured housing community.

(4) If a review finds that this tax preference provides tax relief as described in subsection (3) of this section, then the legislature intends to extend the expiration date of this preference.

(5) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee may refer to data provided by the department of revenue.

NEW SECTION. **Sec.**  A new section is added to chapter 84.36 RCW to read as follows:

(1) A tenant who owns a mobile or manufactured home and qualifies for an exemption under RCW 84.36.381 is eligible for an additional property tax exemption.

(2) The amount of the additional exemption is calculated by applying the exemption the tenant qualifies for under RCW 84.36.381 (5) or (6) to a fraction of the property tax imposed on the mobile home park or manufactured housing community. The numerator of the fraction is one. The denominator of the fraction is the total number of lots in the mobile home park or manufactured housing community.

(3) When a tenant claims an exemption under RCW 84.36.381, the county assessor must calculate the amount of the exemption under this section. In no case may the exemption under this section exceed the amount of property taxes otherwise due.

(4) The definitions in RCW 59.20.030 apply to this chapter unless the context clearly requires otherwise.

(5) This section expires January 1, 2029.

NEW SECTION. **Sec.**  Sections 1 and 2 of this act expire January 1, 2029.

**--- END ---**