

ESSB 5998 - H AMD 910

By Representative Orcutt

NOT ADOPTED 04/27/2019

1 On page 12, after line 12, insert the following:

2 "Sec. 8. RCW 82.45.180 and 2013 c 251 s 11 are each amended to
3 read as follows:

4 (1)(a) For taxes collected by the county under this chapter, the
5 county treasurer (~~shall~~) must collect a five dollar fee on all
6 transactions required by this chapter where the transaction does not
7 require the payment of tax. A total of five dollars (~~shall~~) must be
8 collected in the form of a tax and fee, where the calculated tax
9 payment is less than five dollars. (~~Through June 30, 2006, the~~
10 ~~county treasurer shall place one percent of the taxes collected by~~
11 ~~the county under this chapter and the treasurer's fee in the county~~
12 ~~current expense fund to defray costs of collection. After June 30,~~
13 ~~2006, the county treasurer shall place one and three-tenths percent~~
14 ~~of the taxes collected by the county under this chapter and the~~
15 ~~treasurer's fee in the county current expense fund to defray costs of~~
16 ~~collection. For taxes collected by the county under this chapter~~
17 ~~before July 1, 2006, the county treasurer shall pay over to the state~~
18 ~~treasurer and account to the department of revenue for the proceeds~~
19 ~~at the same time the county treasurer remits funds to the state under~~
20 ~~RCW 84.56.280. For~~) From the taxes collected by the county under
21 this chapter, the county treasurer must place an amount equal to
22 0.017 percent of the selling price for each taxable transaction under
23 this chapter and the treasurer's fee in the county current expense
24 fund to defray costs of collection. Taxes collected by the county
25 under this chapter after June 30, 2006, on a monthly basis the county
26 treasurer (~~shall~~) must pay over to the state treasurer the month's
27 transmittal. The month's transmittal must be received by the state
28 treasurer by 12:00 p.m. on the last working day of each month. The
29 county treasurer (~~shall~~) must account to the department for the
30 month's transmittal by the twentieth day of the month following the
31 month in which the month's transmittal was paid over to the state

1 treasurer. The state treasurer (~~shall~~) must deposit the proceeds in
2 the general fund.

3 (b) (~~For purposes of this subsection, the definitions in this~~
4 ~~subsection apply.~~) The definitions in this subsection apply
5 throughout this section unless the context clearly requires
6 otherwise.

7 (i) "Close of business" means the time when the county treasurer
8 makes his or her daily deposit of proceeds.

9 (ii) "Month's transmittal" means all proceeds deposited by the
10 county through the close of business of the day that is two working
11 days before the last working day of the month. This definition of
12 "month's transmittal" (~~shall~~) may not be construed as requiring any
13 change in a county's practices regarding the timing of its daily
14 deposits of proceeds.

15 (iii) "Proceeds" means moneys collected and receipted by the
16 county from the taxes imposed by this chapter, less the county's
17 share of the proceeds used to defray the county's costs of collection
18 allowable in (a) of this subsection.

19 (iv) "Working day" means a calendar day, except Saturdays,
20 Sundays, and all legal holidays as provided in RCW 1.16.050.

21 (2) For taxes collected by the department of revenue under this
22 chapter, the department (~~shall~~) must remit the tax to the state
23 treasurer who (~~shall~~) must deposit the proceeds of any state tax in
24 the general fund. The state treasurer (~~shall~~) must deposit the
25 proceeds of any local taxes imposed under chapter 82.46 RCW in the
26 local real estate excise tax account hereby created in the state
27 treasury. Moneys in the local real estate excise tax account may be
28 spent only for distribution to counties, cities, and towns imposing a
29 tax under chapter 82.46 RCW. Except as provided in RCW 43.08.190, all
30 earnings of investments of balances in the local real estate excise
31 tax account (~~shall~~) must be credited to the local real estate
32 excise tax account and distributed to the counties, cities, and towns
33 monthly. Monthly the state treasurer (~~shall~~) must make distribution
34 from the local real estate excise tax account to the counties,
35 cities, and towns the amount of tax collected on behalf of each
36 taxing authority. The state treasurer (~~shall~~) must make the
37 distribution under this subsection without appropriation.

38 (3) (a) Through June 30, 2010, the county treasurer (~~shall~~) must
39 collect an additional five dollar fee on all transactions required by
40 this chapter, regardless of whether the transaction requires the

1 payment of tax. The county treasurer (~~shall~~) must remit this fee to
2 the state treasurer at the same time the county treasurer remits
3 funds to the state under subsection (1) of this section. The state
4 treasurer (~~shall~~) must place money from this fee in the general
5 fund. By the twentieth day of the subsequent month, the state
6 treasurer (~~shall~~) must distribute to each county treasurer
7 according to the following formula: Three-quarters of the funds
8 available (~~shall~~) must be equally distributed among the thirty-nine
9 counties; and the balance (~~shall~~) must be ratably distributed among
10 the counties in direct proportion to their population as it relates
11 to the total state's population based on most recent statistics by
12 the office of financial management.

13 (b) When received by the county treasurer, the funds (~~shall~~)
14 must be placed in a special real estate excise tax electronic
15 technology fund held by the county treasurer to be used exclusively
16 for the development, implementation, and maintenance of an electronic
17 processing and reporting system for real estate excise tax
18 affidavits. Funds may be expended to make the system compatible with
19 the automated real estate excise tax system developed by the
20 department and compatible with the processes used in the offices of
21 the county assessor and county auditor. Any funds held in the account
22 that are not expended by the earlier of: July 1, 2015, or at such
23 time that the county treasurer is utilizing an electronic processing
24 and reporting system for real estate excise tax affidavits compatible
25 with the department and compatible with the processes used in the
26 offices of the county assessor and county auditor, revert to the
27 special real estate and property tax administration assistance
28 account in accordance with subsection (5)(c) of this section.

29 (4) Beginning July 1, 2010, through December 31, 2013, the county
30 treasurer (~~shall~~) must continue to collect the additional five
31 dollar fee in subsection (3) of this section on all transactions
32 required by this chapter, regardless of whether the transaction
33 requires the payment of tax. During this period, the county treasurer
34 (~~shall~~) must remit this fee to the state treasurer at the same time
35 the county treasurer remits funds to the state under subsection (1)
36 of this section. The state treasurer (~~shall~~) must place money from
37 this fee in the annual property revaluation grant account created in
38 RCW 84.41.170.

39 (5)(a) The real estate and property tax administration assistance
40 account is created in the custody of the state treasurer. An

1 appropriation is not required for expenditures and the account is not
2 subject to allotment procedures under chapter 43.88 RCW.

3 (b) Beginning January 1, 2014, the county treasurer must continue
4 to collect the additional five dollar fee in subsection (3) of this
5 section on all transactions required by this chapter, regardless of
6 whether the transaction requires the payment of tax. The county
7 treasurer (~~shall~~) must deposit one-half of this fee in the special
8 real estate and property tax administration assistance account in
9 accordance with (c) of this subsection and remit the balance to the
10 state treasurer at the same time the county treasurer remits funds to
11 the state under subsection (1) of this section. The state treasurer
12 must place money from this fee in the real estate and property tax
13 administration assistance account. By the twentieth day of the
14 subsequent month, the state treasurer must distribute the funds to
15 each county treasurer according to the following formula: One-half of
16 the funds available must be equally distributed among the thirty-nine
17 counties; and the balance must be ratably distributed among the
18 counties in direct proportion to their population as it relates to
19 the total state's population based on most recent statistics by the
20 office of financial management.

21 (c) When received by the county treasurer, the funds must be
22 placed in a special real estate and property tax administration
23 assistance account held by the county treasurer to be used for:

24 (i) Maintenance and operation of an annual revaluation system for
25 property tax valuation; and

26 (ii) Maintenance and operation of an electronic processing and
27 reporting system for real estate excise tax affidavits."

28 Renumber the remaining sections consecutively, correct any
29 internal references accordingly, and correct the title.

EFFECT: Changes the amount of real estate excise tax revenue that
counties retain to cover administrative costs from 1.3 percent of the
sales tax collected to an amount equal to 0.017 percent of the
selling price of each taxable transaction.

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