
Local Government Committee

SB 5132

Brief Description: Addressing noncollection of taxes by county treasurers.

Sponsors: Senators Takko and Short.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Provides that a county treasurer can no longer be held liable for solely neglecting to collect taxes; however, willful refusal to collect taxes remains punishable.

Hearing Date: 3/26/19

Staff: Yvonne Walker (786-7841).

Background:

A county treasurer (treasurer) is the custodian of county money and the administrator of the county's financial transactions. The treasurer may also serve as the *ex officio* treasurer for a special purpose district (SPD) (such as a flood control district, irrigation district, or public utility district) and may provide financial services to SPDs and other units of local government. Treasurers have many duties enumerated in statute, which include receiving and disbursing money, issuing receipts for money received, and maintaining financial records reflecting receipts and disbursements.

All taxes due on real and personal property are due and payable to the treasurer. To avoid interest and penalties, at least one-half of the amount due must be paid by April 30 and the balance is due by October 31. Delinquent tax payments are subject to interest and penalties.

By the first Monday of February of each year, treasurers must provide an annual report to the county auditor. The report must reflect the amount of taxes collected and uncollected as of December 31 of the prior year.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A treasurer who willfully refuses or neglects to collect taxes assessed upon personal property or file a list of those taxes that remain uncollected and delinquent can be held liable for the amount due. The amount due of any such uncollected taxes must be deducted from the treasurer's salary and applied to the funds for which they were levied.

Summary of Bill:

A treasurer can no longer be held liable for solely neglecting to collect taxes; however, willfully refusing to collect taxes remains punishable.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.