

SHB 1037 - H AMD 25

By Representative Hansen

ADOPTED 02/27/2023

1 On page 4, after line 18, insert the following:

2 "Sec. 12. RCW 84.36.020 and 2022 c 84 s 1 are each amended to
3 read as follows:

4 The following real and personal property shall be exempt from
5 taxation:

6 (1)(a) All lands, buildings, and personal property required for
7 necessary administration and maintenance, used, or to the extent
8 used, exclusively for public burying grounds or cemeteries without
9 discrimination as to race, color, national origin or ancestry;

10 (b) The exemption provided by this subsection (1) does not apply
11 to family burial grounds established pursuant to chapter 68.--- RCW
12 (the new chapter created in section 13 of this act);

13 (2)(a) All churches, personal property, and the ground, not
14 exceeding five acres in area, upon which a church of any nonprofit
15 recognized religious denomination is or must be built, together with
16 a parsonage, convent, and buildings and improvements required for the
17 maintenance and safeguarding of such property. The area exempted must
18 in any case include all ground covered by the church, parsonage,
19 convent, and buildings and improvements required for the maintenance
20 and safeguarding of such property and the structures and ground
21 necessary for street access, parking, light, and ventilation, but the
22 area of unoccupied ground exempted in such cases, in connection with
23 church, parsonage, convent, and buildings and improvements required
24 for the maintenance and safeguarding of such property, shall not
25 exceed the equivalent of one hundred twenty by one hundred twenty
26 feet except where additional unoccupied land may be required to
27 conform with state or local codes, zoning, or licensing requirements.
28 The parsonage and convent need not be on land contiguous to the
29 church property. Except as otherwise provided in this subsection, to
30 be exempt the property must be wholly used for church purposes.

31 (b) If the rental income or donations, if applicable, are
32 reasonable and do not exceed the maintenance and operation expenses

1 attributable to the portion of the property loaned or rented, the
2 exemption provided by this subsection (2) is not nullified by:

3 (i) The loan or rental of property otherwise exempt under this
4 subsection (2) to a nonprofit organization, association, or
5 corporation, or school to conduct an eleemosynary activity;

6 (ii) The rental or use of the property by any individual, group,
7 or entity, where such rental or use is not otherwise authorized by
8 this subsection (2), for not more than fifty days in each calendar
9 year, and the property is not used for pecuniary gain or to promote
10 business activities for more than fifteen of the fifty days in each
11 calendar year. The fifty and fifteen-day limitations provided in this
12 subsection (2)(b)(ii) do not include days during which setup and
13 takedown activities take place immediately preceding or following a
14 meeting or other event by an individual, group, or entity using the
15 property as provided in this subsection (2)(b)(ii). The 15-day and
16 50-day limitations provided in this subsection (2)(b)(ii) do not
17 apply to the use of the property for pecuniary gain or for business
18 activities if the property is used for activities related to a
19 qualifying farmers market, as defined in RCW 66.24.170, and all
20 income received from rental or use of the exempt property is used for
21 capital improvements to the exempt property, maintenance and
22 operation of the exempt property, or exempt purposes. The exempt
23 property may be used for up to 53 days for the purposes of a
24 qualifying farmers market; or

25 (iii) An inadvertent use of the property in a manner inconsistent
26 with the purpose for which exemption is granted, if the inadvertent
27 use is not part of a pattern of use. A pattern of use is presumed
28 when an inadvertent use is repeated in the same assessment year or in
29 two or more successive assessment years."

30 Renumber the remaining section consecutively, correct any
31 internal references accordingly, and correct the title.

EFFECT: Specifies that the tax exemption for public burying
grounds or cemeteries does not apply to family burial grounds.

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