

1 1225.E AMS WM S4443.1

2 EHB 1225 - S COMM AMD

3 By Committee on Ways & Means

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** The legislature hereby declares that:

8 (1) There is a shortage in the supply of decent, safe, and sanitary
9 housing for persons of low income in this state. Far too many people
10 live in overcrowded dwellings, in buildings that are not safe,
11 sanitary, and protected from the elements, in temporary shelters, or
12 even without a form of decent shelter.

13 (2) The shortage of safe, sanitary, decent housing for persons of
14 low income harms the general health and safety. It deprives many
15 persons of low income of proper shelter and protections from
16 unreasonable risks of fire, crime, personal injury, and from
17 overcrowded and deteriorated living conditions. It harms the general
18 public by contributing to the use of storefronts, public parks, and
19 sidewalks as shelter by the homeless and by contributing to slums and
20 blight in urban areas.

21 (3) Public agencies acting alone do not have sufficient resources
22 to supply housing for persons of low income. Federal cutbacks have made
23 it even more difficult for public agencies to respond to the dwindling
24 supply of low-income housing. The assistance of private capital and
25 free enterprise is essential to reduce the shortage of housing for
26 persons of low income, and organizations and individuals should be
27 encouraged to preserve and develop low-income housing.

1 (4) Mobile home parks are an important source of affordable
2 housing, especially for low-income and elderly persons. Mobile home
3 parks also provide a unique form of community living that allows
4 elderly persons to live independently for as long as possible.

5 (5) Economic pressures have resulted in a dramatic increase in the
6 number of mobile home parks being closed due to changes in land use by
7 the landowner. Not only does this result in lost affordable housing,
8 but mobile homes are difficult and expensive to move. Mobile
9 homeowners find it difficult to locate spaces for mobile homes that
10 must be relocated, especially for older mobile homes.

11 (6) Valuing and taxing property primarily devoted to mobile home
12 parks or low-income housing at its current use will provide an economic
13 incentive for preservation and development of mobile home parks and
14 low-income housing and a disincentive to elimination of such housing
15 for purely economic reasons. Such an incentive may delay the
16 deterioration and demolition of existing low-income housing, or in the
17 closure of mobile home parks, in higher density areas where competition
18 from higher uses threatens this less competitive use, and it may
19 encourage the development of additional low-income housing and mobile
20 home parks.

21 (7) This chapter will implement an amendment to Article VII,
22 section 11, of the Washington state Constitution submitted to the
23 electorate of the state of Washington at the November 1992 general
24 election."

25 "NEW SECTION. Sec. 2. The definitions set forth in this
26 section apply throughout this chapter unless the context clearly
27 requires otherwise.

28 (1) "Assessor" means the county assessor or such agency or person
29 who is authorized to act on behalf of the assessor.

1 (2) "County financial authority" and "financial authority" means
2 the county treasurer or an agency or person charged with the
3 responsibility for billing and collecting property taxes.

4 (3) "County recording authority" means the county auditor or an
5 agency or person charged with the recording of documents.

6 (4) "Dwelling unit" means a structure other than a single-family
7 home, or that part of a structure that is used as a home, residence, or
8 sleeping place by one person or by two or more persons maintaining a
9 common household, including but not limited to multiplexes and
10 apartment buildings.

11 (5) "Devoted to low-income housing" means that the property is
12 dedicated to housing for persons of low income at rents set below
13 market rates.

14 (6) "Mobile home" means a mobile or manufactured home as defined in
15 RCW 46.04.302.

16 (7) "Mobile home park" means real property that is rented or held
17 out for rent to others for the placement of two or more mobile homes
18 for the primary purpose of production of income, except where such real
19 property is rented or held out for rent for seasonal recreational
20 purpose only and is not intended for year-round occupancy.

21 (8) "Owner" means the party or parties with the fee ownership in
22 the land, and the contract vendee where land is subject to a real
23 estate contract.

24 (9) "Persons of low income" means one person, or two or more
25 persons maintaining a common household, whose current income does not
26 exceed fifty percent of the median income, adjusted by family size, for
27 the area in which the building is located. Median income is measured
28 by the most recent statistics published by the United States department
29 of housing and urban development for counties within a standard
30 metropolitan statistical area, and for other areas, by estimates

1 prepared and filed by the state department of community development
2 with the code reviser's office for publication in the Washington state
3 register.

4 (10) "Rents set below market rates" means rents that are equal to
5 or less than the greater of either:

6 (a) Set in accordance with an agreement with the United States
7 department of housing and urban development or other federal agency, or
8 a local housing authority, to carry out a government program to provide
9 housing for persons of low income, and that do not exceed the fair
10 rental rate promulgated for such low-income housing by the United
11 States or the housing authority; or

12 (b) Do not exceed fifteen percent of the median income, scaled by
13 using the occupancy for the unit authorized by the local building code
14 for family size, for the area in which the building is located.

15 (11) "Reviewing official" means the chief executive officer of a
16 county, city, or town or a subordinate municipal officer designated by
17 the chief executive officer for review of applications for
18 classification pursuant to this chapter."

19 "NEW SECTION. Sec. 3. Current use valuation as authorized by
20 this chapter shall be available within each county only if the county
21 legislative authority adopts an implementing ordinance or resolution."

22 "NEW SECTION. Sec. 4. (1) Property occupied by a building that
23 meets the following criteria may be classified in whole or in part as
24 "devoted to low-income housing," and valued and taxed at its current
25 use value unless disqualified under subsection (7) of this section:

26 (a) At least fifty percent of the rentable floor area of the
27 building shall be dedicated to housing for persons of low income. The
28 remainder of the building may be: (i) Committed to other uses, or (ii)

1 vacant for up to six months, as long as the remainder does not impair
2 the habitability of the units rented for housing to persons of low
3 income;

4 (b) At least three dwelling units in the building must be dedicated
5 to housing for persons of low income;

6 (c) The rents charged to persons of low income shall be set below
7 market rates; and

8 (d) The building and the dwelling units dedicated to housing for
9 persons of low income must comply with local health and safety
10 standards.

11 (2) A classification of the real property occupied by a building
12 devoted to low-income housing applies to the portion of the parcel
13 dedicated to housing for persons of low income, including ancillary
14 areas used for parking, lawn, garden, or landscaping, as required by
15 local zoning and building ordinances.

16 (3) Property used for a mobile home park that meets the following
17 criteria may be classified in whole or in part as "devoted to low-
18 income housing" and valued and taxed at its current use value unless
19 disqualified under subsection (7) of this section:

20 (a) At least fifty percent of the mobile home park spaces shall be
21 dedicated to persons of low income at all times for residential
22 purposes by persons of low income. The remainder of the mobile home
23 park may be: (i) Committed to other uses, or (ii) vacant for up to six
24 months, as long as the remainder does not impair the habitability of
25 the mobile home park spaces rented to persons of low income;

26 (b) At least three mobile home spaces in the mobile home park must
27 be dedicated to housing for persons of low income;

28 (c) The rents charged to persons of low income shall be set below
29 market rates for mobile home park spaces; and

1 (d) The mobile home park must comply with local health and safety
2 standards.

3 (4) A classification of real property used for a mobile home park
4 applies to the portion of the property dedicated to housing for persons
5 of low income, including ancillary areas used for parking, lawn,
6 garden, or landscaping, as required by local zoning and building
7 ordinances.

8 (5) In the event that the property for which a classification under
9 this section is applied for is used in part as other than either
10 residential rental property or a mobile home park, only the portion of
11 the property dedicated to housing for persons of low income or a mobile
12 home park shall be eligible for classification under this chapter.

13 (6) An assessor may, for property tax purposes, segregate those
14 portions of a property dedicated to housing for persons of low income.

15 (7) The following properties are not eligible for classification as
16 property "devoted to low-income housing":

17 (a) Slums: (i) Property under a municipal or judicial order for
18 abatement; (ii) property with a building that the local jurisdiction
19 has found to violate applicable building, health, and safety standards
20 and on which compliance has not been completed or satisfactory progress
21 shown within sixty days after notice; or (iii) property that is
22 repeatedly cited for a substantial violation of such local standards.

23 (b) Institutional housing: (i) Residential units that serve an
24 institution, where payments for health care, education, or other
25 institutional services are made by or for the occupants to the owner in
26 addition to rent for the dwelling; (ii) privately-owned student
27 housing, including fraternities and sororities; or (iii) resorts for
28 recreational purposes. This subsection (b) does not exclude from
29 eligibility housing that is under contract to a governmental

1 organization or private nonprofit health care organization and is
2 devoted to persons of low income.

3 (c) Employee housing: Property used primarily for industrial,
4 commercial, institutional, farm or agricultural purposes or as timber
5 land in which the dwelling units identified as devoted to use by
6 persons of low income are occupied by employees of the owner, contract
7 workers for the owner, or relatives of the owner.

8 (d) A portion of the property that exceeds five acres; except that
9 this requirement does not apply to mobile home parks."

10 "NEW SECTION. Sec. 5. (1) Applications made on or before the
11 last day of December shall be processed for classification in the year
12 following application.

13 (2) Where practical, applications shall be made upon forms prepared
14 by the state department of revenue and supplied by the assessor. A
15 document that contains the essential information requested by the state
16 form shall be processed as an application if the approved forms are not
17 available. The application shall contain a verification or statement
18 under penalty of perjury that the information supplied is true and
19 correct. The application shall require the applicant to inform the
20 assessor if there is a change in circumstances that would affect the
21 continuing eligibility of the property for classification under this
22 chapter. The assessor shall provide reasonable assistance to
23 applicants in completing the form.

24 (3) If the property lies in an incorporated area, the assessor
25 shall send a copy of the application to the chief executive officer of
26 the city or town or to a subordinate municipal officer designated by
27 the chief executive officer for review. If the property lies in an
28 unincorporated area, the assessor shall transmit a copy of the
29 application for review to the official who administers the county

1 building codes unless the county legislative authority designates
2 another official. If a municipal boundary bisects property that is the
3 subject of an application, officials of each affected municipality
4 shall receive a copy of the application. Before a reviewing official
5 recommends denial of an application, the reviewer shall inform the
6 owner of the proposed denial and allow the owner an opportunity to
7 submit additional information.

8 (4) The classification established under this chapter shall be in
9 effect for taxes payable for the year following the year in which a
10 classification is made by and for each subsequent year until (a)
11 withdrawn by the owner or (b) found ineligible by the assessor.

12 (5) The city, town, or county may require a reasonable application
13 fee, including the costs necessary to record the document. Except for
14 recording costs, the application fee shall be nonrefundable. The fee
15 shall accompany the application.

16 (6) An assessor may delegate the performance of any or all of the
17 activities specified by this chapter to a reviewing official of the
18 jurisdiction in which the property is located."

19 "NEW SECTION. Sec. 6. (1) Upon receipt of an application from
20 the assessor, a reviewing official may contact the applicant, examine
21 documents and records, interview occupants, and enter and inspect the
22 real property during reasonable business hours to determine compliance
23 with the requirements of this chapter. However, nothing in this
24 section shall be construed to authorize an entry by a reviewing
25 official into a mobile home sited in a mobile home park classified
26 under this chapter unless the owner of such home grants permission.
27 The reviewing official shall, within forty-five days of receipt of the
28 application from the assessor, file with the assessor a report that
29 states whether the property qualifies for classification under this

1 chapter: PROVIDED, That upon notice to the assessor, the reviewing
2 official may take such additional time as may be needed on account of
3 delays in securing information from an applicant. An application that
4 is returned to the assessor by the reviewing official later than
5 December 31 of the year in which it is submitted, and that is
6 subsequently approved, shall be treated as approved in the calendar
7 year in that it is returned: PROVIDED, That an application submitted
8 to the assessor fewer than forty-five days prior to December 31, and
9 that is subsequently approved within the forty-five day period, shall
10 be treated as approved in the calendar year in which it is submitted
11 for classification the year following approval.

12 (2) The assessor shall grant the classification if the report of
13 the reviewing official recommends approval of the application and shall
14 deny the application if the report recommends denial.

15 (3) If no timely report is submitted by a reviewing official, the
16 reviewing official shall inform the applicant. An applicant may then
17 apply to the county board of equalization for relief. The board may
18 order: The classification granted; the classification granted unless
19 the reviewing official shows cause for a denial by a date contained in
20 the order; or denial of the application on the record already made.

21 (4) Property classified as a mobile home park or classified as
22 "devoted to low-income housing" shall be so designated on the
23 assessment roll and notice of that classification shall be given on the
24 notice of assessed value change sent to the taxpayer. The assessor
25 shall also maintain on the assessment rolls the true and fair value of
26 the property."

27 "NEW SECTION. Sec. 7. For the purposes of property tax the
28 value of the real property classified as a mobile home park or
29 classified as "devoted to low-income housing" shall be the lesser of

1 its value based on its current use and its true and fair value. In
2 computing its value based on its current use, the assessor shall
3 disregard potential uses that might return a higher income, rents that
4 might be charged were the owner to maximize returns, and values of the
5 property that suppose either the land or the improvements were
6 unencumbered by classification under this chapter."

7 "NEW SECTION. Sec. 8. To be sure the property continues to be
8 eligible for classification, an assessor may require the owner to
9 certify information about the building's occupancy by persons of low
10 income, and the rents paid, the continued use of a mobile home park as
11 a mobile home park, or other information pertinent to the continuation
12 of this classification."

13 "NEW SECTION. Sec. 9. Once real property has been classified
14 under this chapter, it shall remain under such classification and shall
15 not be applied to other use for at least ten years from the date of
16 classification and shall continue under such classification until and
17 unless withdrawn from classification after notice of request for
18 withdrawal shall be made by the owner. During any year after eight
19 years of the initial ten-year classification period have elapsed,
20 notice of request for withdrawal of all or a portion of the land, which
21 request shall be irrevocable, may be given by the owner to the
22 assessor. If a portion of a parcel is removed from classification, the
23 remaining portion must meet the same requirements as did the entire
24 parcel when the real property was originally granted classification
25 pursuant to this chapter. Within seven days the assessor shall
26 transmit one copy of such notice to the reviewing official who
27 originally approved the application. The assessor or assessors, as the
28 case may be, shall, when two assessment years have elapsed following

1 the date of receipt of the notice, withdraw the real property from such
2 classification and the real property shall be subject to the additional
3 tax due under section 13 of this act. Classification according to this
4 chapter shall not be considered to be a contract and can be abrogated
5 at any time by the legislature, in which event no additional tax or
6 penalty may be imposed."

7 "NEW SECTION. Sec. 10. If real property has been classified
8 under this chapter, except through compliance with section 9 of this
9 act, or except as a result solely from any one of the conditions listed
10 in section 13(5) of this act, the owner shall within sixty days notify
11 the assessor of a change in use, and additional property tax shall be
12 imposed upon the property in an amount equal to the sum of the
13 following:

14 (1) The total amount of the additional tax due under section 13 of
15 this act; plus

16 (2) A penalty amounting to twenty percent of the amount determined
17 under subsection (1) of this section.

18 A person who has information that the property no longer qualifies
19 for the classification may supply the information to the assessor.
20 Upon receipt of the information, the assessor shall promptly refer the
21 matter to the reviewing official for a report and recommendation on
22 whether the property should be removed from classification."

23 "NEW SECTION. Sec. 11. The additional tax and penalties, if
24 any, provided by section 10 of this act shall be extended on the tax
25 roll and shall be, together with the interest thereon, a lien on the
26 property to which the tax applies as of January 1st of the year for
27 which the additional tax is imposed. The lien has priority as provided
28 in chapter 84.60 RCW. For purposes of all periods of limitation of

1 actions specified in this title, the year in which the tax became
2 payable shall be as specified in section 12 of this act."

3 "NEW SECTION. Sec. 12. The additional tax, penalties, and
4 interest provided by section 10 of this act shall be paid in full
5 thirty days after the date that the county financial authority's
6 statement therefor is rendered. The county financial authority shall
7 distribute the additional taxes, interest, and penalties in the same
8 manner in which current taxes applicable to the subject land are
9 distributed."

10 "NEW SECTION. Sec. 13. (1) If real property has once been
11 classified under this chapter, a notation of the classification shall
12 be made each year upon the assessment and tax rolls, and the real
13 property shall be valued under to this chapter until removal of all or
14 a portion of the classification by the assessor upon occurrence of any
15 of the following:

16 (a) Receipt of notice from the owner to remove all or a portion of
17 the designation;

18 (b) Sale or transfer to an ownership making all or a portion of the
19 real property exempt from ad valorem taxation;

20 (c) Sale or transfer of all or a portion of the real property to a
21 new owner, unless the new owner has signed a notice of classification
22 continuance. If the notice of continuance is not signed by the new
23 owner, all additional taxes calculated under subsection (3) of this
24 section shall become due and payable by the seller or transferor at
25 time of sale. The county recording authority shall not accept an
26 instrument of conveyance of classified real property for filing or
27 recording unless the new owner has signed the notice of continuance or
28 the additional tax has been paid;

1 (d) Determination by the reviewing official, after giving the owner
2 written notice and an opportunity to be heard, that all or a portion of
3 the real property is no longer primarily devoted to and used for the
4 purposes under which it was granted classification.

5 (2) Within thirty days after the removal of all or a portion of the
6 real property from classification, the assessor shall notify the owner
7 in writing, setting forth the reasons for the removal. Within thirty
8 days of mailing the notice of removal, the seller, transferor, or owner
9 may appeal the removal to the county board of equalization.

10 (3) Both the assessed valuation before and after the removal of
11 classification shall be listed and taxes shall be allocated according
12 to that part of the year to which each assessed valuation applies.
13 Except as provided in subsection (5) of this section, an additional tax
14 shall be imposed that is due and payable to the county financial
15 authority thirty days after the owner is notified of the amount of the
16 additional tax. As soon as possible, the assessor shall compute the
17 amount of such an additional tax and the county financial authority
18 shall mail notice to the owner of the amount thereof and the date on
19 which payment is due. The amount of the additional tax shall be equal
20 to:

21 (a) The difference between the property tax paid as property
22 classified under this chapter and the amount of property tax otherwise
23 due and payable for the seven years last past had the real property not
24 been so classified; plus

25 (b) Interest upon the amounts of the additional tax paid at the
26 same statutory rate charged on delinquent property taxes from the dates
27 on which the additional tax could have been paid without penalty if the
28 real property had been assessed at a value without regard to this
29 chapter.

1 (4) Additional tax, together with applicable interest thereon,
2 becomes a lien on the real property, which lien attaches at the time
3 the real property is removed from current use classification under this
4 chapter. The lien has priority to and shall be fully paid and
5 satisfied before any recognizance, mortgage, judgment, debt,
6 obligation, or responsibility to or with which the land may become
7 charged or liable. The lien may be foreclosed upon expiration of the
8 same period after delinquency and in the same manner provided by law
9 for foreclosure of liens for delinquent real property taxes as provided
10 in RCW 84.64.050. Any additional tax unpaid on its due date is
11 delinquent. From the date of delinquency until paid, interest shall be
12 charged at the same rate applied by law to delinquent ad valorem
13 property taxes.

14 (5) The additional tax specified in subsection (3) of this section
15 shall not be imposed if the removal of designation pursuant to
16 subsection (1) of this section resulted solely from:

17 (a) A taking under exercise of the power of eminent domain or a
18 transfer to a condemning authority under threat of an exercise of the
19 power of eminent domain;

20 (b) A transfer to a use that is exempt from property taxes;

21 (c) A change in the law or land use regulations that precludes use
22 of the property for low-income housing or as a mobile home park;

23 (d) Destruction of the property, or such severe damage as to render
24 the premises untenable, through a natural disaster, such as flood,
25 landslide, or earthquake, or a calamity beyond the owner's control,
26 such as fire."

27 "NEW SECTION. **Sec. 14.** An aggrieved owner, the local government
28 agency approving the application, the assessor, and the department of
29 revenue may appeal an action granting or denying a classification

1 pursuant to this chapter to the county board of equalization. The
2 appeal shall be filed within thirty days of the granting or denial of
3 the classification by serving a copy upon the reviewing officer and the
4 county board of equalization. The appeal shall be processed in the
5 same manner as appeals from property valuations."

6 "NEW SECTION. **Sec. 15.** The department of revenue shall adopt
7 rules to implement this chapter."

8 "NEW SECTION. **Sec. 16.** The department of community development
9 shall prepare and publish, within sixty days of the date the department
10 of housing and urban development publishes or no later than December
11 31st of each year, the data on median incomes necessary to implement
12 this chapter. The department may make its estimates for areas outside
13 federal standard metropolitan statistical areas on the basis of the
14 nearest area with such data."

15 "NEW SECTION. **Sec. 17.** This chapter shall be liberally
16 construed to accomplish its purposes. This chapter shall also be
17 interpreted as granting reviewing officials designated by a city or
18 county the authority to carry out the functions contemplated by this
19 chapter."

20 "NEW SECTION. **Sec. 18.** If any provision of this chapter or its
21 application to any person or circumstance is held invalid, the
22 remainder of the chapter or the application of the provision to other
23 persons or circumstances is not affected."

24 "NEW SECTION. **Sec. 19.** Sections 1 through 18 of this act shall
25 constitute a new chapter in Title 84 RCW."

1 **"Sec. 20.** RCW 42.17.310 and 1991 c 301 s 13, 1991 c 87 s 13, and
2 1991 c 23 s 10 are each reenacted and amended to read as follows:

3 (1) The following are exempt from public inspection and copying:

4 (a) Personal information in any files maintained for students in
5 public schools, patients or clients of public institutions or public
6 health agencies, or welfare recipients.

7 (b) Personal information in files maintained for employees,
8 appointees, or elected officials of any public agency to the extent
9 that disclosure would violate their right to privacy.

10 (c) Information required of any taxpayer in connection with the
11 assessment or collection of any tax if the disclosure of the
12 information to other persons would (i) be prohibited to such persons by
13 RCW 82.32.330 or (ii) violate the taxpayer's right to privacy or result
14 in unfair competitive disadvantage to the taxpayer.

15 (d) Specific intelligence information and specific investigative
16 records compiled by investigative, law enforcement, and penology
17 agencies, and state agencies vested with the responsibility to
18 discipline members of any profession, the nondisclosure of which is
19 essential to effective law enforcement or for the protection of any
20 person's right to privacy.

21 (e) Information revealing the identity of persons who file
22 complaints with investigative, law enforcement, or penology agencies,
23 other than the public disclosure commission, if disclosure would
24 endanger any person's life, physical safety, or property. If at the
25 time the complaint is filed the complainant indicates a desire for
26 disclosure or nondisclosure, such desire shall govern. However, all
27 complaints filed with the public disclosure commission about any
28 elected official or candidate for public office must be made in writing
29 and signed by the complainant under oath.

1 (f) Test questions, scoring keys, and other examination data used
2 to administer a license, employment, or academic examination.

3 (g) Except as provided by chapter 8.26 RCW, the contents of real
4 estate appraisals, made for or by any agency relative to the
5 acquisition or sale of property, until the project or prospective sale
6 is abandoned or until such time as all of the property has been
7 acquired or the property to which the sale appraisal relates is sold,
8 but in no event shall disclosure be denied for more than three years
9 after the appraisal.

10 (h) Valuable formulae, designs, drawings, and research data
11 obtained by any agency within five years of the request for disclosure
12 when disclosure would produce private gain and public loss.

13 (i) Preliminary drafts, notes, recommendations, and intra-agency
14 memorandums in which opinions are expressed or policies formulated or
15 recommended except that a specific record shall not be exempt when
16 publicly cited by an agency in connection with any agency action.

17 (j) Records which are relevant to a controversy to which an agency
18 is a party but which records would not be available to another party
19 under the rules of pretrial discovery for causes pending in the
20 superior courts.

21 (k) Records, maps, or other information identifying the location of
22 archaeological sites in order to avoid the looting or depredation of
23 such sites.

24 (l) Any library record, the primary purpose of which is to maintain
25 control of library materials, or to gain access to information, which
26 discloses or could be used to disclose the identity of a library user.

27 (m) Financial information supplied by or on behalf of a person,
28 firm, or corporation for the purpose of qualifying to submit a bid or
29 proposal for (a) a ferry system construction or repair contract as

1 required by RCW 47.60.680 through 47.60.750 or (b) highway construction
2 or improvement as required by RCW 47.28.070.

3 (n) Railroad company contracts filed with the utilities and
4 transportation commission under RCW 81.34.070, except that the
5 summaries of the contracts are open to public inspection and copying as
6 otherwise provided by this chapter.

7 (o) Financial and commercial information and records supplied by
8 private persons pertaining to export services provided pursuant to
9 chapter 43.163 RCW and chapter 53.31 RCW.

10 (p) Financial disclosures filed by private vocational schools under
11 chapter 28C.10 RCW.

12 (q) Records filed with the utilities and transportation commission
13 or attorney general under RCW 80.04.095 that a court has determined are
14 confidential under RCW 80.04.095.

15 (r) Financial and commercial information and records supplied by
16 businesses during application for loans or program services provided by
17 chapter 43.163 RCW and chapters 43.31, 43.63A, and 43.168 RCW.

18 (s) Membership lists or lists of members or owners of interests of
19 units in timeshare projects, subdivisions, camping resorts,
20 condominiums, land developments, or common-interest communities
21 affiliated with such projects, regulated by the department of
22 licensing, in the files or possession of the department.

23 (t) All applications for public employment, including the names of
24 applicants, resumes, and other related materials submitted with respect
25 to an applicant.

26 (u) The residential addresses and residential telephone numbers of
27 employees or volunteers of a public agency which are held by the agency
28 in personnel records, employment or volunteer rosters, or mailing lists
29 of employees or volunteers.

1 (v) The residential addresses and residential telephone numbers of
2 the customers of a public utility contained in the records or lists
3 held by the public utility of which they are customers.

4 (w) Information obtained by the board of pharmacy as provided in
5 RCW 69.45.090.

6 (x) Information obtained by the board of pharmacy or the department
7 of health and its representatives as provided in RCW 69.41.044,
8 69.41.280, and 18.64.420.

9 (y) Financial information, business plans, examination reports, and
10 any information produced or obtained in evaluating or examining a
11 business and industrial development corporation organized or seeking
12 certification under chapter 31.24 RCW.

13 (z) Financial and commercial information supplied to the state
14 investment board by any person when the information relates to the
15 investment of public trust or retirement funds and when disclosure
16 would result in loss to such funds or in private loss to the providers
17 of this information.

18 (aa) Financial and valuable trade information under RCW 51.36.120.

19 (bb) Client records maintained by an agency that is a domestic
20 violence program as defined in RCW 70.123.020 or a rape crisis center
21 as defined in RCW 70.125.030.

22 (cc) Financial information contained in applications and tenant
23 information for the current use valuation granted by chapter 84.-- RCW
24 (sections 1 through 18 of this act).

25 (2) Except for information described in subsection (1)(c)(i) of
26 this section and confidential income data exempted from public
27 inspection pursuant to RCW 84.40.020, the exemptions of this section
28 are inapplicable to the extent that information, the disclosure of
29 which would violate personal privacy or vital governmental interests,
30 can be deleted from the specific records sought. No exemption may be

1 construed to permit the nondisclosure of statistical information not
2 descriptive of any readily identifiable person or persons.

3 (3) Inspection or copying of any specific records exempt under the
4 provisions of this section may be permitted if the superior court in
5 the county in which the record is maintained finds, after a hearing
6 with notice thereof to every person in interest and the agency, that
7 the exemption of such records is clearly unnecessary to protect any
8 individual's right of privacy or any vital governmental function.

9 (4) Agency responses refusing, in whole or in part, inspection of
10 any public record shall include a statement of the specific exemption
11 authorizing the withholding of the record (or part) and a brief
12 explanation of how the exemption applies to the record withheld."

13 "NEW SECTION. Sec. 21. This act shall take effect upon the
14 effective date of an amendment to Article VII, section 11 of the
15 Washington state Constitution to authorize current use valuation of
16 property used as a mobile home park or property with buildings that
17 meet applicable building, health, and safety codes and comply with
18 provisions of sections 1 through 18 of this act. If such amendment is
19 not validly submitted to and approved by the voters at the November
20 1992 general election, this act shall be null and void in its
21 entirety."

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23 By Committee on Ways & Means

24
25 On page 1, line 3 of the title, after "value;" strike the remainder
26 of the title and insert "reenacting and amending RCW 42.17.310; adding
27 a new chapter to Title 84 RCW; and providing a contingent effective
28 date."