

2 EHB 2670 - S COMM AMD
3 By Committee on Ways & Means

4 ADOPTED 3/3/94

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

7 "Sec. 1. RCW 84.36.381 and 1993 c 178 s 1 are each amended to read
8 as follows:

9 A person shall be exempt from any legal obligation to pay all or a
10 portion of the amount of excess and regular real property taxes due and
11 payable in the year following the year in which a claim is filed, and
12 thereafter, in accordance with the following:

13 (1) The property taxes must have been imposed upon a residence
14 which was occupied by the person claiming the exemption as a principal
15 place of residence as of January 1st of the year for which the
16 exemption is claimed: PROVIDED, That any person who sells, transfers,
17 or is displaced from his or her residence may transfer his or her
18 exemption status to a replacement residence, but no claimant shall
19 receive an exemption on more than one residence in any year: PROVIDED
20 FURTHER, That confinement of the person to a hospital or nursing home
21 shall not disqualify the claim of exemption if:

22 (a) The residence is temporarily unoccupied;

23 (b) The residence is occupied by a spouse and/or a person
24 financially dependent on the claimant for support; or

25 (c) The residence is rented for the purpose of paying nursing home
26 or hospital costs;

27 (2) The person claiming the exemption must have owned, at the time
28 of filing, in fee, as a life estate, or by contract purchase, the
29 residence on which the property taxes have been imposed or if the
30 person claiming the exemption lives in a cooperative housing
31 association, corporation, or partnership, such person must own a share
32 therein representing the unit or portion of the structure in which he
33 or she resides. For purposes of this subsection, a residence owned by
34 a marital community or owned by cotenants shall be deemed to be owned
35 by each spouse or cotenant, and any lease for life shall be deemed a
36 life estate;

1 (3) The person claiming the exemption must be sixty-one years of
2 age or older on December 31st of the year in which the exemption claim
3 is filed, or must have been, at the time of filing, retired from
4 regular gainful employment by reason of physical disability: PROVIDED,
5 That any surviving spouse of a person who was receiving an exemption at
6 the time of the person's death shall qualify if the surviving spouse is
7 fifty-seven years of age or older and otherwise meets the requirements
8 of this section;

9 (4) The amount that the person shall be exempt from an obligation
10 to pay shall be calculated on the basis of combined disposable income,
11 as defined in RCW 84.36.383. If the person claiming the exemption was
12 retired for two months or more of the preceding year, the combined
13 disposable income of such person shall be calculated by multiplying the
14 average monthly combined disposable income of such person during the
15 months such person was retired by twelve. If the income of the person
16 claiming exemption is reduced for two or more months of the preceding
17 year by reason of the death of the person's spouse, the combined
18 disposable income of such person shall be calculated by multiplying the
19 average monthly combined disposable income of such person after the
20 death of the spouse by twelve.

21 (5)(a) A person who otherwise qualifies under this section and has
22 a combined disposable income of (~~twenty-six~~) twenty-eight thousand
23 dollars or less shall be exempt from all excess property taxes; and

24 (b)(i) A person who otherwise qualifies under this section and has
25 a combined disposable income of eighteen thousand dollars or less but
26 greater than fifteen thousand dollars shall be exempt from all regular
27 property taxes on the greater of thirty thousand dollars or thirty
28 percent of the valuation of his or her residence, but not to exceed
29 fifty thousand dollars of the valuation of his or her residence; or

30 (ii) A person who otherwise qualifies under this section and has a
31 combined disposable income of fifteen thousand dollars or less shall be
32 exempt from all regular property taxes on the greater of thirty-four
33 thousand dollars or fifty percent of the valuation of his or her
34 residence.

35 NEW SECTION. **Sec. 2.** Section 1 of this act shall be effective for
36 taxes levied for collection in 1995 and thereafter.

1 NEW SECTION. **Sec. 3.** If a court enters a final order invalidating
2 or remanding section 1 of this act on the grounds that it does not
3 comply with section 13, chapter 2, Laws of 1994, this measure shall be
4 submitted to the people for their adoption, ratification, or rejection,
5 at the next succeeding general election to be held in this state, in
6 accordance with Article II, section 1 of the state Constitution, as
7 amended, and the laws adopted to facilitate the operation thereof."

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11 On page 1, line 2 of the title, after "disability;" strike the
12 remainder of the title and insert "amending RCW 84.36.381; creating a
13 new section; and providing for submission of this act to a vote of the
14 people."

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