

2 **HB 1023** - H AMD 951

3 By Representative B.Thomas

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

7 "**Sec. 1.** RCW 82.04.255 and 1993 sp.s. c 25 s 202 are each amended
8 to read as follows:

9 Upon every person engaging within the state as a real estate
10 broker; as to such persons, the amount of the tax with respect to such
11 business shall be equal to the gross income of the business, multiplied
12 by the rate of (~~2.0~~) 1.75 percent.

13 The measure of the tax on real estate commissions earned by the
14 real estate broker shall be the gross commission earned by the
15 particular real estate brokerage office including that portion of the
16 commission paid to salesmen or associate brokers in the same office on
17 a particular transaction: PROVIDED, HOWEVER, That where a real estate
18 commission is divided between an originating brokerage office and a
19 cooperating brokerage office on a particular transaction, each
20 brokerage office shall pay the tax only upon their respective shares of
21 said commission: AND PROVIDED FURTHER, That where the brokerage office
22 has paid the tax as provided herein, salesmen or associate brokers
23 within the same brokerage office shall not be required to pay a similar
24 tax upon the same transaction.

25 **Sec. 2.** RCW 82.04.290 and 1995 c 229 s 3 are each amended to read
26 as follows:

27 (1) Upon every person engaging within this state in the business of
28 providing selected business services other than or in addition to those
29 enumerated in RCW 82.04.250 or 82.04.270; as to such persons the amount
30 of tax on account of such activities shall be equal to the gross income
31 of the business multiplied by the rate of (~~2.5~~) 2.0 percent.

32 (2) Upon every person engaging within this state in banking, loan,
33 security, investment management, investment advisory, or other
34 financial businesses, other than or in addition to those enumerated in
35 subsection (3) of this section; as to such persons, the amount of the

1 tax with respect to such business shall be equal to the gross income of
2 the business, multiplied by the rate of (~~1.70~~) 1.6 percent.

3 (3) Upon every person engaging within this state in the business of
4 providing international investment management services, as to such
5 persons, the amount of tax with respect to such business shall be equal
6 to the gross income or gross proceeds of sales of the business
7 multiplied by a rate of 0.275 percent.

8 (4) Upon every person engaging within this state in any business
9 activity other than or in addition to those enumerated in RCW
10 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, and
11 82.04.280, and subsections (1), (2), and (3) of this section; as to
12 such persons the amount of tax on account of such activities shall be
13 equal to the gross income of the business multiplied by the rate of
14 (~~2.0~~) 1.75 percent.

15 This section includes, among others, and without limiting the scope
16 hereof (whether or not title to materials used in the performance of
17 such business passes to another by accession, confusion or other than
18 by outright sale), persons engaged in the business of rendering any
19 type of service which does not constitute a "sale at retail" or a "sale
20 at wholesale." The value of advertising, demonstration, and
21 promotional supplies and materials furnished to an agent by his
22 principal or supplier to be used for informational, educational and
23 promotional purposes shall not be considered a part of the agent's
24 remuneration or commission and shall not be subject to taxation under
25 this section.

26 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
27 preservation of the public peace, health, or safety, or support of the
28 state government and its existing public institutions, and shall take
29 effect July 1, 1995."

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1 On page 1, line 1 of title, after "rates;" strike the remainder of
2 the title and insert "amending RCW 82.04.255 and 82.04.290; providing
3 an effective date; and declaring an emergency."

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