

FINAL BILL REPORT

ESHB 1564

C 23 L 03

Synopsis as Enacted

Brief Description: Clarifying county treasurer fiscal provisions.

Sponsors: By House Committee on Local Government (originally sponsored by Representatives Alexander, Fromhold, Mielke, Kessler and Buck).

House Committee on Local Government
Senate Committee on Government Operations & Elections

Background:

The county treasurer (treasurer) operates under the authority of various state statutes concerning aspects of receiving, processing, and disbursing funds. The treasurer is the custodian of the county's money and the administrator of the county's financial transactions. In addition to services for the county, the treasurer provides financial services to special purpose districts and other units of local government, including the responsibility to receipt, disburse, invest, and account for the funds of each of these entities. The treasurer receives and disburses funds, invests funds held, and maintains financial records in accordance with accepted accounting principles. The treasurer is also responsible for the collection of various taxes, including legal proceedings to collect past due amounts. The treasurer has other miscellaneous duties such as conducting bond sales and sales of surplus county property.

Summary:

The person authorized to establish lines of credit and to pay interest and other finance or service charges for local governments is changed from "fiscal officer" to "treasurer."

If personal property is sold at auction, any outstanding property taxes will become an automatic lien against the proceeds of the auction, and will be remitted to the treasurer. If any proceeds are distributed in violation of this provision, the seller or agent of the seller will be liable for all taxes, interest, and penalties owed to the treasurer.

Real property may not be divided until all current year taxes and any delinquent taxes are paid in full.

At any time the day before a foreclosure sale of real property, any person owning a "recorded" interest in the property may pay the taxes, interest, and cost due to the treasurer. Following a foreclosure sale, the treasurer must refund any amount in excess

of the minimum bid price to the record owner of the property. The record owner of the property is the person who held title on the date of issuance of the certificate of delinquency. Any assignments of interests, deeds, or other documents executed or recorded after the certificate of delinquency was filed by the treasurer do not affect the payment of excess funds to the record owner.

If the treasurer issues a refund that includes interest, the treasurer is authorized not only to remove the amount of the overpaid tax but also the interest from the state or the county general fund in the same proportion as it was paid.

The legislative authority of a district where the county treasurer serves as an ex officio treasurer may choose to not change transaction processing costs for nontax payments.

Votes on Final Passage:

House 91 0

Senate 47 0

Effective: July 27, 2003