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**SUBSTITUTE HOUSE BILL 2347**

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**State of Washington**

**58th Legislature**

**2004 Regular Session**

**By** House Committee on Trade & Economic Development (originally sponsored by Representatives McDonald, Morrell, Edwards and Hinkle)

READ FIRST TIME 02/02/04.

1       AN ACT Relating to the inclusion of cultural facilities under the  
2 authority of certain public facilities districts; and adding a new  
3 section to chapter 82.14 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5       NEW SECTION. **Sec. 1.** A new section is added to chapter 82.14 RCW  
6 to read as follows:

7       (1) Except as provided in subsection (6) of this section, the  
8 governing body of a public facilities district may impose a sales and  
9 use tax in accordance with the terms of this chapter if the public  
10 facilities district: (a) Is created after July 1, 2005, but before  
11 June 30, 2007, for the construction of a cultural center; (b) commences  
12 construction of a new cultural center, or improvement or rehabilitation  
13 of an existing cultural center, before January 1, 2008; and (c) is  
14 located in a county with a population in excess of two hundred fifteen  
15 thousand.

16       The tax is in addition to other taxes authorized by law and shall  
17 be collected from those persons who are taxable by the state under  
18 chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event

1 within the public facilities district. The rate of tax shall not  
2 exceed 0.033 percent of the selling price in the case of a sales tax or  
3 value of the article used in the case of a use tax.

4 (2) The tax imposed under subsection (1) of this section shall be  
5 deducted from the amount of tax otherwise required to be collected or  
6 paid over to the department of revenue under chapter 82.08 or 82.12  
7 RCW. The department of revenue shall perform the collection of the  
8 taxes on behalf of the county at no cost to the public facilities  
9 district.

10 (3) No tax may be collected under this section before September 1,  
11 2005. The tax imposed in this section expires when the bonds issued  
12 for the construction of the cultural center and related parking  
13 facilities are retired, but not more than twenty-five years after the  
14 tax is first collected.

15 (4) Money collected under this section shall only be used for the  
16 purposes set forth in subsection (1) of this section and must be  
17 matched with an amount from other public or private sources equal to  
18 thirty-three percent of the amount collected under this section,  
19 provided that amounts generated from nonvoter approved taxes authorized  
20 under chapter 35.57 RCW or nonvoter approved taxes authorized under  
21 chapter 36.100 RCW shall not constitute a public or private source.  
22 For the purpose of this section, public or private sources include, but  
23 are not limited to, cash or in-kind contributions used in all phases of  
24 the development or improvement of the cultural center, land that is  
25 donated and used for the siting of the cultural center, cash or in-kind  
26 contributions from public or private foundations, or amounts attributed  
27 to private sector partners as part of a public and private partnership  
28 agreement negotiated by the public facilities district.

29 (5) The combined total tax levied under this section shall not be  
30 greater than 0.033 percent. If both a public facilities district  
31 created under chapter 35.57 RCW and a public facilities district  
32 created under chapter 36.100 RCW impose a tax under this section, the  
33 tax imposed by a public facilities district created under chapter 35.57  
34 RCW shall be credited against the tax imposed by a public facilities  
35 district created under chapter 36.100 RCW.

36 (6) A public facilities district created under chapter 36.100 RCW  
37 is not eligible to impose the tax under this section if the legislative

1 authority of the county where the public facilities district is located  
2 has imposed a sales and use tax under RCW 82.14.0485 or 82.14.0494.

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