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SENATE BILL 5472

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State of Washington

58th Legislature

2003 Regular Session

By Senators Mulliken, Hewitt, Morton, McCaslin, T. Sheldon and Rasmussen

Read first time 01/27/2003. Referred to Committee on Land Use & Planning.

1 AN ACT Relating to a tax exemption for property that has declined  
2 in value due to shoreline regulation; adding a new section to chapter  
3 84.36 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 84.36 RCW  
6 to read as follows:

7 (1) Eligible regulated real property is exempt from taxation from  
8 regular property tax levies by the state. Eligible regulated real  
9 property means real property for which the land value has been reduced  
10 by twenty-five percent or more after November 20, 2002, as a result of  
11 regulation under a shoreline master program adopted under chapter 90.58  
12 RCW. The exemption continues until the cumulative tax savings due to  
13 the exemption equals or exceeds the reduction in value.

14 (2) A claim for exemption shall be made and filed on or before  
15 March 31st with the county assessor. The claim for exemption must be  
16 filed within three years of the adoption of the regulation. To  
17 establish the value reduction, the property owner may petition the  
18 county assessor under RCW 84.40.039 or establish the value reduction  
19 through an appraisal report prepared by a state-certified general real

1 estate appraiser licensed under chapter 18.140 RCW. The value  
2 reduction shall be determined with reference to the value on January  
3 1st of the year in which the claim for exemption is filed.

4 (3) If the value reduction is established by the assessor, the  
5 owner may petition the county board of equalization for a change in the  
6 value reduction within thirty days of being notified of the assessor's  
7 valuation. If the value reduction is established by an appraisal  
8 report, the state, city or town, or county in which the property is  
9 located may petition the county board of equalization for a change in  
10 the value reduction established in the appraisal report within thirty  
11 days of receiving the appraisal report. Upon review by the county  
12 board of equalization, board of tax appeals, or any court, the value  
13 reduction established by an appraisal report is presumed correct,  
14 however, this presumption is not a defense against any correction  
15 indicated by clear, cogent, and convincing evidence.

16 (4) The assessor shall either approve or deny the exemption and  
17 notify the property owner in writing by August 1st. The property owner  
18 may appeal the assessor's determination under the provisions of RCW  
19 84.48.010.

20 (5) The levy for a taxing district in any year shall be reduced as  
21 necessary to prevent exemptions under this section from resulting in a  
22 higher tax rate than would have occurred in the absence of the  
23 exemptions under this section.

24 NEW SECTION. **Sec. 2.** This act applies to taxes levied for  
25 collection in 2004 and thereafter.

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