

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1502

Chapter 56, Laws of 2005

59th Legislature
2005 Regular Session

TAX ABATEMENT--DESTROYED PROPERTY

EFFECTIVE DATE: 7/24/05

Passed by the House March 11, 2005
Yeas 95 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 5, 2005
Yeas 48 Nays 0

BRAD OWEN

President of the Senate

Approved April 14, 2005.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1502** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

April 14, 2005 - 11:31 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1502

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By House Committee on Finance (originally sponsored by
Representatives Takko and DeBolt)

READ FIRST TIME 03/07/05.

1 AN ACT Relating to tax abatements for property damaged or destroyed
2 by natural disasters; and amending RCW 84.70.010.

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

4 **Sec. 1.** RCW 84.70.010 and 2001 c 187 s 26 are each amended to read
5 as follows:

6 (1) If, on or before December 31 in any calendar year, any real or
7 personal property placed upon the assessment roll of that year is
8 destroyed in whole or in part, or is in an area that has been declared
9 a disaster area by the governor or the county legislative authority and
10 has been reduced in value by more than twenty percent as a result of a
11 natural disaster, the true and fair value of such property shall be
12 reduced for that assessment year by an amount determined by taking the
13 true and fair value of such taxable property before destruction or
14 reduction in value and deduct therefrom the true and fair value of the
15 remaining property after destruction or reduction in value.

16 (2) Taxes levied for collection in the year in which the true and
17 fair value has been reduced under subsection (1) of this section shall
18 be abated in whole or in part as provided in this subsection. The
19 amount of taxes to be abated shall be determined by first multiplying

1 the amount deducted from the true and fair value under subsection (1)
2 of this section by the rate of levy applicable to the property in the
3 tax year. Then divide the product by the number of days in the year
4 and multiply the quotient by the number of days remaining in the
5 calendar year after the date of the destruction or reduction in value
6 of the property. If taxes abated under this section have been paid,
7 the amount paid shall be refunded under RCW 84.69.020. (~~For taxes~~
8 ~~levied for collection in 1998 and 1999, this subsection (2) applies to~~
9 ~~property that is destroyed in whole or in part, or is in an area that~~
10 ~~has been declared a disaster area by the governor and has been reduced~~
11 ~~in value by more than twenty percent as a result of a natural disaster.~~
12 ~~For taxes levied for collection in 2000 through 2004, this subsection~~
13 ~~(2) applies to property that is destroyed in whole or in part, or is in~~
14 ~~an area that has been declared a federal disaster area and has been~~
15 ~~reduced in value by more than twenty percent as a result of a natural~~
16 ~~disaster. This subsection (2) does not apply to taxes levied for~~
17 ~~collection in 2005 and thereafter.)) The tax relief provided for in
18 this section for the tax year in which the damage or destruction
19 occurred does not apply to property damaged or destroyed voluntarily.~~

20 (3) No reduction in the true and fair value or abatelements shall be
21 made more than three years after the date of destruction or reduction
22 in value.

23 (4) The assessor shall make such reduction on his or her own
24 motion; however, the taxpayer may make application for reduction on
25 forms prepared by the department and provided by the assessor. The
26 assessor shall notify the taxpayer of the amount of reduction.

27 (5) If destroyed property is replaced prior to the valuation dates
28 contained in RCW 36.21.080 and 36.21.090, the total taxable value for
29 that assessment year shall not exceed the value as of the appropriate
30 valuation date in RCW 36.21.080 or 36.21.090, whichever is appropriate.

31 (6) The taxpayer may appeal the amount of reduction to the county
32 board of equalization in accordance with the provisions of RCW
33 84.40.038. The board shall reconvene, if necessary, to hear the
34 appeal.

Passed by the House March 11, 2005.
Passed by the Senate April 5, 2005.
Approved by the Governor April 14, 2005.
Filed in Office of Secretary of State April 14, 2005.