

SSB 6178 - S AMD 2

By Senators Benton, Roach, Stevens, McCaslin and Schoesler

RULED BEYOND SCOPE 11/29/2007

1 On page 4 after line 35, insert the following:

2 "Sec. 9. RCW 84.36.383 and 2006 c 62 s 1 are each amended to read
3 as follows:

4 As used in RCW 84.36.381 through 84.36.389, except where the
5 context clearly indicates a different meaning:

6 (1) The term "residence" means a single family dwelling unit
7 whether such unit be separate or part of a multiunit dwelling,
8 including the land on which such dwelling stands not to exceed one
9 acre, except that a residence includes any additional property up to a
10 total of five acres that comprises the residential parcel if this
11 larger parcel size is required under land use regulations. The term
12 shall also include a share ownership in a cooperative housing
13 association, corporation, or partnership if the person claiming
14 exemption can establish that his or her share represents the specific
15 unit or portion of such structure in which he or she resides. The term
16 shall also include a single family dwelling situated upon lands the fee
17 of which is vested in the United States or any instrumentality thereof
18 including an Indian tribe or in the state of Washington, and
19 notwithstanding the provisions of RCW 84.04.080 and 84.04.090, such a
20 residence shall be deemed real property.

21 (2) The term "real property" shall also include a mobile home which
22 has substantially lost its identity as a mobile unit by virtue of its
23 being fixed in location upon land owned or leased by the owner of the
24 mobile home and placed on a foundation (posts or blocks) with fixed
25 pipe, connections with sewer, water, or other utilities. A mobile home
26 located on land leased by the owner of the mobile home is subject, for
27 tax billing, payment, and collection purposes, only to the personal
28 property provisions of chapter 84.56 RCW and RCW 84.60.040.

29 (3) "Department" means the state department of revenue.

30 (4) "Combined disposable income" means the disposable income of the
31 person claiming the exemption, plus the disposable income of his or her
32 spouse, and the disposable income of each cotenant occupying the

1 residence for the assessment year, less amounts paid by the person
2 claiming the exemption or his or her spouse during the assessment year
3 for:

4 (a) Drugs supplied by prescription of a medical practitioner
5 authorized by the laws of this state or another jurisdiction to issue
6 prescriptions;

7 (b) The treatment or care of either person received in the home or
8 in a nursing home, boarding home, or adult family home; and

9 (c) Health care insurance premiums for medicare under Title XVIII
10 of the social security act;

11 (d) Durable medical equipment and mobility enhancing equipment, as
12 defined in RCW 82.08.0283; and

13 (e) Long-term care insurance, as defined in RCW 48.84.020.

14 (5) "Disposable income" means adjusted gross income as defined in
15 the federal internal revenue code, as amended prior to January 1, 1989,
16 or such subsequent date as the director may provide by rule consistent
17 with the purpose of this section, plus all of the following items to
18 the extent they are not included in or have been deducted from adjusted
19 gross income:

20 (a) Capital gains, other than gain excluded from income under
21 section 121 of the federal internal revenue code to the extent it is
22 reinvested in a new principal residence;

23 (b) Amounts deducted for loss;

24 (c) Amounts deducted for depreciation;

25 (d) Pension and annuity receipts;

26 (e) Military pay and benefits other than attendant-care and
27 medical-aid payments;

28 (f) Veterans benefits other than attendant-care and medical-aid
29 payments;

30 (g) Federal social security act and railroad retirement benefits;

31 (h) Dividend receipts; and

32 (i) Interest received on state and municipal bonds.

33 (6) "Cotenant" means a person who resides with the person claiming
34 the exemption and who has an ownership interest in the residence.

35 (7) "Disability" has the same meaning as provided in 42 U.S.C. Sec.
36 423(d)(1)(A) as amended prior to January 1, 2004, or such subsequent
37 date as the director may provide by rule consistent with the purpose of
38 this section.

39 levied for collection in 2007 and thereafter."

1 Renumber the sections consecutively and correct any internal
2 references accordingly.

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7 On page 1, line 3 of the title, after "Title 84 RCW;", insert
8 "amending RCW 84.36.383;"

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EFFECT: In determining a household's disposable income, permits a deduction for expenditures on durable medical equipment, mobility enhancing equipment, and long-term care insurance.