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SENATE BILL 5027

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State of Washington                      60th Legislature                      2007 Regular Session

By Senators Kohl-Welles, Murray, Jacobsen and Kline

Read first time 01/08/2007. Referred to Committee on Ways & Means.

1            AN ACT Relating to the excise taxation of zoos; adding a new  
2 section to chapter 82.04 RCW; adding a new section to chapter 82.08  
3 RCW; adding a new section to chapter 82.12 RCW; and creating a new  
4 section.

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

6            NEW SECTION.    **Sec. 1.** The legislature finds that publicly owned  
7 zoological facilities in Washington, which are operated by a nonprofit  
8 organization, serve a public purpose by providing educational and  
9 recreational opportunities for Washington citizens and spurring  
10 economic development in the state. The legislature also finds that  
11 private funds are critical to the survival of publicly owned zoological  
12 facilities. The legislature intends to provide certain excise tax  
13 relief to such publicly owned zoological facilities that are operated  
14 by nonprofit organizations in order to further their public purpose and  
15 stimulate economic development.

16            NEW SECTION.    **Sec. 2.** A new section is added to chapter 82.04 RCW  
17 to read as follows:

18            (1) For the purposes of this section, the term "zoological

1 facility" means a publicly owned facility operated by a nonprofit  
2 organization, exclusively for the purpose of providing zoological  
3 exhibitions, presentations, performances, or education programs. The  
4 facility must be operated by a not-for-profit corporation under chapter  
5 24.03 RCW.

6 (2) In computing tax there may be deducted from the measure of tax  
7 by persons subject to payment of the tax on manufacturing under RCW  
8 82.04.240, the value of articles to the extent manufacturing activities  
9 are undertaken by a publicly owned zoological facility operated by a  
10 nonprofit organization solely for the purpose of manufacturing articles  
11 for use by the zoological facility in displaying or presenting  
12 zoological exhibitions, presentations, performances, or education  
13 programs.

14 (3) In computing tax there may be deducted from the measure of tax  
15 those amounts received:

16 (a) By a zoological facility, which represents income derived from  
17 business activities conducted by the facility; or

18 (b) From the United States or any instrumentality thereof or from  
19 the state of Washington or any municipal corporation or subdivision  
20 thereof as compensation for, or to support zoological exhibitions,  
21 presentations, performances, or education programs provided by a  
22 zoological facility.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 82.08 RCW  
24 to read as follows:

25 The tax levied by RCW 82.08.020 does not apply to sales to  
26 zoological facilities of objects that are acquired for the purpose of  
27 exhibition or presentation if the objects are to be used in displaying  
28 or presenting zoological exhibitions, presentations, performances, or  
29 education programs. For the purposes of this section, a "zoological  
30 facility" is defined as provided in section 2 of this act.

31 NEW SECTION. **Sec. 4.** A new section is added to chapter 82.12 RCW  
32 to read as follows:

33 The provisions of this chapter do not apply in respect to the use  
34 by zoological facilities of objects that are acquired for the purpose  
35 of zoological exhibitions, presentations, or performances, if the  
36 objects are to be used in displaying zoological exhibitions,

1 presentations, or performances, or in education programs. For the  
2 purposes of this section, a "zoological facility" is defined as  
3 provided in section 2 of this act.

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