

CERTIFICATION OF ENROLLMENT

SECOND SUBSTITUTE HOUSE BILL 1591

Chapter 105, Laws of 2010

61st Legislature
2010 Regular Session

TRANSPORTATION BENEFIT DISTRICT FUNDS

EFFECTIVE DATE: 06/10/10

Passed by the House February 13, 2010
Yeas 56 Nays 38

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 3, 2010
Yeas 44 Nays 2

BRAD OWEN

President of the Senate

Approved March 18, 2010, 2:24 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 1591** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

March 18, 2010

**Secretary of State
State of Washington**

SECOND SUBSTITUTE HOUSE BILL 1591

Passed Legislature - 2010 Regular Session

State of Washington 61st Legislature 2010 Regular Session

By House Transportation (originally sponsored by Representatives
Upthegrove, Clibborn, Simpson, and Liias)

READ FIRST TIME 01/25/10.

1 AN ACT Relating to the use of certain transportation benefit
2 district funds; and amending RCW 36.73.015, 36.73.120, and 82.14.0455.

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

4 **Sec. 1.** RCW 36.73.015 and 2006 c 311 s 24 are each amended to read
5 as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1) "District" means a transportation benefit district created
9 under this chapter.

10 (2) "City" means a city or town.

11 (3) "Transportation improvement" means a project contained in the
12 transportation plan of the state ~~((or))~~, a regional transportation
13 planning organization, city, county, or eligible jurisdiction as
14 identified in RCW 36.73.020(2). A project may include investment in
15 new or existing highways of statewide significance, principal arterials
16 of regional significance, high capacity transportation, public
17 transportation, and other transportation projects and programs of
18 regional or statewide significance including transportation demand

1 management. Projects may also include the operation, preservation, and
2 maintenance of these facilities or programs.

3 **Sec. 2.** RCW 36.73.120 and 2007 c 329 s 4 are each amended to read
4 as follows:

5 (1) Subject to the provisions in RCW 36.73.065, a district may
6 impose a fee or charge on the construction or reconstruction of
7 commercial buildings, industrial buildings, or on any other commercial
8 or industrial building or building space or appurtenance, or on the
9 development, subdivision, classification, or reclassification of land
10 for commercial purposes, only if done in accordance with chapter 39.92
11 RCW.

12 (2) Any fee or charge imposed under this section shall be used
13 exclusively for transportation improvements (~~constructed by a~~
14 ~~district~~) as defined in RCW 36.73.015. The fees or charges imposed
15 must be reasonably necessary as a result of the impact of development,
16 construction, or classification or reclassification of land on
17 identified transportation needs.

18 (3) If a county or city within the district area is levying a fee
19 or charge for a transportation improvement, the fee or charge shall be
20 credited against the amount of the fee or charge imposed by the
21 district.

22 **Sec. 3.** RCW 82.14.0455 and 2006 c 311 s 16 are each amended to
23 read as follows:

24 (1) Subject to the provisions in RCW 36.73.065, a transportation
25 benefit district under chapter 36.73 RCW may fix and impose a sales and
26 use tax in accordance with the terms of this chapter. The tax
27 authorized in this section is in addition to any other taxes authorized
28 by law and shall be collected from those persons who are taxable by the
29 state under chapters 82.08 and 82.12 RCW upon the occurrence of any
30 taxable event within the boundaries of the district. The rate of tax
31 shall not exceed two-tenths of one percent of the selling price in the
32 case of a sales tax, or value of the article used, in the case of a use
33 tax. Except as provided in subsection (2) of this section, the tax may
34 not be imposed for a period exceeding ten years. This tax, if not
35 imposed under the conditions of subsection (2) of this section, may be

1 extended for a period not exceeding ten years with an affirmative vote
2 of the voters voting at the election.

3 (2) The voter-approved sales tax initially imposed under this
4 section after July 1, 2010, may be imposed for a period exceeding ten
5 years if the moneys received under this section are dedicated for the
6 repayment of indebtedness incurred in accordance with the requirements
7 of chapter 36.73 RCW.

8 (3) Money received from the tax imposed under this section must be
9 spent in accordance with the requirements of chapter 36.73 RCW.

Passed by the House February 13, 2010.

Passed by the Senate March 3, 2010.

Approved by the Governor March 18, 2010.

Filed in Office of Secretary of State March 18, 2010.