H-1738.1

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**HOUSE BILL 2143**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives Young, Caldier, and Condotta

AN ACT Relating to deferring the repayment of state sales and use tax on the Tacoma Narrows bridge project; and amending RCW 47.46.060.

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

**Sec.**  RCW 47.46.060 and 2012 c 77 s 1 are each amended to read as follows:

(1) Any person, including the department of transportation and any private entity or entities, may apply for deferral of taxes on the site preparation for, the construction of, the acquisition of any related machinery and equipment that becomes a part of, and the rental of equipment for use in the state route number 16 corridor improvements project under this chapter. Application must be made to the department of revenue in a form and manner prescribed by the department of revenue. The application must contain information regarding estimated or actual costs, time schedules for completion and operation, and other information required by the department of revenue. The department of revenue must approve the application within sixty days if it meets the requirements of this section.

(2) The department of revenue must issue a sales and use tax deferral certificate for state and local sales and use taxes due under chapters 82.08, 82.12, and 82.14 RCW on the project.

(3) The department of transportation or a private entity granted a tax deferral under this section must begin paying the deferred taxes in the ((~~eleventh~~)) sixteenth year after the date certified by the department of revenue as the date on which the project is operationally complete. The first payment is due on December 31st of the ((~~eleventh~~)) sixteenth calendar year after such certified date, with subsequent annual payments due on December 31st of the following ((~~nine~~)) five years. Each payment must equal ((~~ten percent~~)) one-sixth of the deferred tax. The project is operationally complete under this section when the collection of tolls is commenced for the state route number 16 improvements covered by the deferral.

(4) The department of revenue may authorize an accelerated repayment schedule upon request of the department of transportation or a private entity granted a deferral under this section.

(5) Interest may not be charged on any taxes deferred under this section for the period of deferral, although all other penalties and interest applicable to delinquent excise taxes may be assessed and imposed for delinquent payments under this section. The debt for deferred taxes is not extinguished by insolvency or other failure of the private entity. Transfer of ownership does not terminate the deferral.

(6) Applications and any other information received by the department of revenue under this section are not confidential and are subject to disclosure. Chapter 82.32 RCW applies to the administration of this section.

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