

**SHB 2995** - H AMD 1475

By Representative Shea

1 On page 42, after line 34 of the striking amendment, insert the  
2 following:

3 "Sec. 27. RCW 36.22.179 and 2017 3rd sp.s. c 16 s 5 are each  
4 amended to read as follows:

5 (1) In addition to the surcharge authorized in RCW 36.22.178,  
6 and except as provided in subsection (2) of this section, an  
7 additional surcharge of ten dollars shall be charged by the county  
8 auditor for each document recorded, which will be in addition to any  
9 other charge allowed by law. From September 1, 2012, through June  
10 30, 2023, the surcharge shall be forty dollars. The funds collected  
11 pursuant to this section are to be distributed and used as follows:

12 (a)(i) The auditor shall retain two percent for collection of  
13 the fee, and of the remainder shall remit sixty percent to the  
14 county to be deposited into a fund that must be used by the county  
15 and its cities and towns to accomplish the purposes of chapter 484,  
16 Laws of 2005, six percent of which may be used by the county for the  
17 collection and local distribution of these funds and administrative  
18 costs related to its homeless housing plan, and the remainder for  
19 programs which directly accomplish the goals of the county's local  
20 homeless housing plan, except that for each city in the county which  
21 elects as authorized in RCW 43.185C.080 to operate its own local  
22 homeless housing program, a percentage of the surcharge assessed  
23 under this section equal to the percentage of the city's local  
24 portion of the real estate excise tax collected by the county shall  
25 be transmitted at least quarterly to the city treasurer, without any  
26 deduction for county administrative costs, for use by the city for  
27 program costs which directly contribute to the goals of the city's

1 local homeless housing plan; of the funds received by the city, it  
2 may use six percent for administrative costs for its homeless  
3 housing program.

4 (ii) For a county located east of the crest of the Cascade  
5 mountain range that has a population of one hundred and one thousand  
6 or fewer, any funds collected and remitted to the county for the  
7 authorized purposes in (a)(i) of this subsection may be used to  
8 educate homeowners about wildfire risk and prevention measures and  
9 be used for wildfire prevention and response activities. Any  
10 eligible county must hold a public hearing before using funding for  
11 such an authorized purpose.

12 (b) The auditor shall remit the remaining funds to the state  
13 treasurer for deposit in the home security fund account. The  
14 department may use twelve and one-half percent of this amount for  
15 administration of the program established in RCW 43.185C.020,  
16 including the costs of creating the statewide homeless housing  
17 strategic plan, measuring performance, providing technical  
18 assistance to local governments, and managing the homeless housing  
19 grant program. Of the remaining eighty-seven and one-half percent,  
20 at least forty-five percent must be set aside for the use of private  
21 rental housing payments, and the remainder is to be used by the  
22 department to:

23 (i) Provide housing and shelter for homeless people including,  
24 but not limited to: Grants to operate, repair, and staff shelters;  
25 grants to operate transitional housing; partial payments for rental  
26 assistance; consolidated emergency assistance; overnight youth  
27 shelters; grants and vouchers designated for victims of human  
28 trafficking and their families; and emergency shelter assistance;  
29 and

30 (ii) Fund the homeless housing grant program.

31 (2) The surcharge imposed in this section does not apply to (a)  
32 assignments or substitutions of previously recorded deeds of trust,  
33 (b) documents recording a birth, marriage, divorce, or death, (c)  
34 any recorded documents otherwise exempted from a recording fee or

1 additional surcharges under state law, (d) marriage licenses issued  
2 by the county auditor, (e) documents recording a state, county, or  
3 city lien or satisfaction of lien, or (f) documents recording a  
4 water-sewer district lien or satisfaction of a lien for delinquent  
5 utility payments.

6  
7 **Sec. 28.** RCW 43.185C.060 and 2014 c 200 s 2 are each amended to  
8 read as follows:

9 The home security fund account is created in the state treasury,  
10 subject to appropriation. The state's portion of the surcharge  
11 established in RCW 36.22.179 and 36.22.1791 must be deposited in the  
12 account. Expenditures from the account may be used only for homeless  
13 housing programs as described in this chapter and for wildfire  
14 prevention and response activities pursuant to RCW  
15 36.22.179(1)(a)(ii). If an independent audit finds that the  
16 department has failed to set aside at least forty-five percent of  
17 funds received under RCW 36.22.179(1)(b) after June 12, 2014, for  
18 the use of private rental housing payments, the department must  
19 submit a corrective action plan to the office of financial  
20 management within thirty days of receipt of the independent audit.  
21 The office of financial management must monitor the department's  
22 corrective action plan and expenditures from this account for the  
23 remainder of the fiscal year. If the department is not in compliance  
24 with RCW 36.22.179(1)(b) in any month of the fiscal year following  
25 submission of the corrective action plan, the office of financial  
26 management must reduce the department's allotments from this account  
27 and hold in reserve status a portion of the department's  
28 appropriation equal to the expenditures made during the month not in  
29 compliance with RCW 36.22.179(1)(b).

30  
31 NEW SECTION. **Sec. 29.** A new section is added to chapter 76.04  
32 RCW to read as follows:

33 Subject to the availability of amounts appropriated for this  
34 specific purpose, the department must provide funding or training

1 for prescribed burning to local authorities in areas at risk for  
2 wildfires.

3

4 NEW SECTION. **Sec. 30.** A new section is added to chapter 82.04  
5 RCW to read as follows:

6 (1)(a) In computing the tax imposed under this chapter,  
7 harvesters are allowed a credit against the amount of tax otherwise  
8 due under this chapter, as provided in this section. The credit is  
9 equal to the total amount of tax due under this chapter on any  
10 forest-derived biomass sold or transferred when the harvest of the  
11 forest-derived biomass was done for the primary purpose of wildfire  
12 prevention or mitigation.

13 (b) In order to claim the credit, the tax payer must self-  
14 certify in a form and manner prescribed by the department that the  
15 harvest sold or transferred and claimed for purposes of this tax  
16 credit was done for the primary purpose of wildfire prevention or  
17 mitigation.

18 (2) Credit may not be claimed for forest derived biomass sold or  
19 transferred before the effective date of this section.

20 (3) For the purposes of this section, "forest-derived biomass"  
21 means the by-products of preventative silvicultural treatment, or  
22 wildfire damage, such as trees, wood, brush, thinnings, chips, and  
23 slash, that are removed to: Reduce hazardous fuels; reduce or  
24 contain disease or insect infestation; or to restore forest health.

25 (4) The expiration date provisions of RCW 82.32.805 do not apply to  
26 this section.

27

28 NEW SECTION. **Sec. 31.** (1) This section is the tax preference  
29 performance statement for the fire prevention tax credit provided in  
30 section 30, chapter . . ., Laws of 2018 (section 30 of this act).  
31 The performance statement is only intended to be used for subsequent  
32 evaluation of the tax preference. It is not intended to create a  
33 private right of action by any party or be used to determine  
34 eligibility for preferential tax treatment

1 (2) The legislature categorizes this tax preference as one  
2 intended to induce certain designated behavior by taxpayers as  
3 indicated in RCW 82.32.808(2)(a).

4 (3) It is the legislature's specific public policy objective to  
5 provide a credit against business and occupation taxes to increase  
6 proactive thinning and clearing of lands in the state for the  
7 purpose of preventing and mitigating wildfires.

8 (4) To measure the effectiveness of the credit provided in  
9 section 30, chapter . . ., Laws of 2018 (section 30 of this act) in  
10 achieving the specific public policy objective described in  
11 subsection (3) of this section, the joint legislative audit and  
12 review committee must evaluate the change in acres thinned or  
13 cleared for purposes of fire prevention or mitigation."

14

EFFECT: Expands the authorized uses of the \$40 homeless housing and assistance surcharge to include educating homeowners about wildfire risk, prevention, and response in certain counties; requires the Department of Natural Resources to provide resources to local authorities at risk for wildfires; and creates a new fire prevention business and occupation tax credit for harvesters of forest-derived biomass.

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