H-0759.1

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**HOUSE BILL 1944**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Representatives Dent, Chapman, Boehnke, Dufault, and Walsh

AN ACT Relating to expanding a use tax exemption for new Washington residents and nonresident members of the armed forces; amending RCW 82.12.0251; creating new sections; and providing an effective date.

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

**Sec.**  RCW 82.12.0251 and 2009 c 535 s 608 are each amended to read as follows:

The provisions of this chapter do not apply in respect to the use of:

(1) ((~~Of~~)) Any article of tangible personal property or any digital good or digital code, and any services that were rendered in respect to such property, brought into the state of Washington by a nonresident thereof for his or her use or enjoyment while temporarily within the state of Washington unless such property is used in conducting a nontransitory business activity within the state of Washington;

(2) ((~~By a nonresident of Washington of~~)) A motor vehicle or trailer ((~~which~~)) by a nonresident of Washington, if such motor vehicle or trailer is registered or licensed under the laws of the nonresident's state of ((~~his or her~~)) residence, and ((~~which~~)) is not required to be registered or licensed under the laws of Washington, including motor vehicles or trailers exempt pursuant to a declaration issued by the department of licensing under RCW 46.85.060, and services rendered outside the state of Washington in respect to such ((~~property~~)) motor vehicle or trailer;

(3) ((~~Of household goods, including digital goods, and digital codes, personal effects, private motor vehicles,~~)) (a) Tangible personal property, digital goods, digital codes, and services rendered in respect to such property, by a bona fide resident of Washington, or nonresident members of the armed forces who are stationed in Washington pursuant to military orders, if such articles and services were acquired and used by such person in another state while a bona fide resident thereof and such acquisition and use occurred more than ninety days prior to the time he or she entered Washington((~~. For purposes of this subsection, private motor vehicles do not include motor homes~~));

(b) The exemption in (a) of this subsection (3) does not apply to vessels thirty feet or longer, aircraft as defined in RCW 82.48.010, vehicles titled or registered in the name of a business, whether also titled or registered in the name of an individual, or vehicles used primarily for business purposes; and

(4) ((~~Of~~)) An extended warranty, to the extent that the property covered by the extended warranty is exempt under this section from the tax imposed under this chapter.

For purposes of this section, "state" means a state of the United States, any political subdivision thereof, the District of Columbia, and any foreign country or political subdivision thereof, and "services" means services defined as retail sales in RCW 82.04.050(2) (a) or (g).

NEW SECTION. **Sec.**  This act applies only with respect to tangible personal property, digital goods, digital codes, and services, for which the first act of use, as defined in RCW 82.12.010, in Washington occurs on or after the effective date of this section.

NEW SECTION. **Sec.**  The provisions of RCW 82.32.805 and 82.32.808 do not apply to this act.

NEW SECTION. **Sec.**  This act takes effect September 1, 2019.

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