

ESHB 2919 - S COMM AMD

By Committee on Housing Stability & Affordability

ADOPTED 03/10/2020

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 82.45.180 and 2013 c 251 s 11 are each amended to
4 read as follows:

5 (1)(a) For taxes collected by the county under this chapter, the
6 county treasurer shall collect a five dollar fee on all transactions
7 required by this chapter where the transaction does not require the
8 payment of tax. A total of five dollars shall be collected in the
9 form of a tax and fee, where the calculated tax payment is less than
10 five dollars. (~~Through June 30, 2006, the county treasurer shall~~
11 ~~place one percent of the taxes collected by the county under this~~
12 ~~chapter and the treasurer's fee in the county current expense fund to~~
13 ~~defray costs of collection. After June 30, 2006))~~

14 (b)(i) Except as otherwise provided in (b)(ii) and (c) of this
15 subsection, the county treasurer shall place one and three-tenths
16 percent of the taxes collected by the county under this chapter and
17 the treasurer's fee in the county current expense fund to defray
18 costs of collection. ((For taxes collected by the county under this
19 chapter before July 1, 2006, the county treasurer shall pay over to
20 the state treasurer and account to the department of revenue for the
21 proceeds at the same time the county treasurer remits funds to the
22 state under RCW 84.56.280.))

23 (ii) In a county with a population greater than two million, the
24 county treasurer shall retain one and three-tenths percent of the
25 taxes collected by the county under this chapter. Seventy-five
26 percent of the one and three-tenths percent of the taxes collected
27 and retained and the treasurer's fee must be deposited in the county
28 current expense fund to defray costs of collection. The remaining
29 twenty-five percent of the one and three-tenths percent of the taxes
30 collected and retained may be used for operations and maintenance of
31 permanent supportive housing programs in the county.

1 (c) For counties with a population of less than four hundred
2 thousand, the county treasurer shall retain one and forty-eight
3 hundredths percent of the taxes collected by the county under this
4 chapter and the treasurer's fee in the county current expense fund to
5 defray costs of collection.

6 (d) For taxes collected by the county under this chapter ((after
7 June 30, 2006)), on a monthly basis the county treasurer shall pay
8 over to the state treasurer the month's transmittal. The month's
9 transmittal must be received by the state treasurer by 12:00 p.m. on
10 the last working day of each month. The county treasurer shall
11 account to the department for the month's transmittal by the
12 twentieth day of the month following the month in which the month's
13 transmittal was paid over to the state treasurer. The state treasurer
14 shall deposit the proceeds in the general fund.

15 ~~((b))~~ (e) For purposes of this subsection, the definitions in
16 this subsection apply.

17 (i) "Close of business" means the time when the county treasurer
18 makes his or her daily deposit of proceeds.

19 (ii) "Month's transmittal" means all proceeds deposited by the
20 county through the close of business of the day that is two working
21 days before the last working day of the month. This definition of
22 "month's transmittal" shall not be construed as requiring any change
23 in a county's practices regarding the timing of its daily deposits of
24 proceeds.

25 (iii) "Proceeds" means moneys collected and receipted by the
26 county from the taxes imposed by this chapter, less the county's
27 share of the proceeds used to defray the county's costs of collection
28 allowable in ~~((a))~~ (b) and (c) of this subsection.

29 (iv) "Working day" means a calendar day, except Saturdays,
30 Sundays, and all legal holidays as provided in RCW 1.16.050.

31 (2) For taxes collected by the department of revenue under this
32 chapter, the department shall remit the tax to the state treasurer
33 who shall deposit the proceeds of any state tax in the general fund.
34 The state treasurer shall deposit the proceeds of any local taxes
35 imposed under chapter 82.46 RCW in the local real estate excise tax
36 account hereby created in the state treasury. Moneys in the local
37 real estate excise tax account may be spent only for distribution to
38 counties, cities, and towns imposing a tax under chapter 82.46 RCW.
39 Except as provided in RCW 43.08.190, all earnings of investments of
40 balances in the local real estate excise tax account shall be

1 credited to the local real estate excise tax account and distributed
2 to the counties, cities, and towns monthly. Monthly the state
3 treasurer shall make distribution from the local real estate excise
4 tax account to the counties, cities, and towns the amount of tax
5 collected on behalf of each taxing authority. The state treasurer
6 shall make the distribution under this subsection without
7 appropriation.

8 (3) (a) (~~Through June 30, 2010, the~~) The county treasurer shall
9 collect an additional five dollar fee on all transactions required by
10 this chapter, regardless of whether the transaction requires the
11 payment of tax. The county treasurer shall remit this fee to the
12 state treasurer at the same time the county treasurer remits funds to
13 the state under subsection (1) of this section. The state treasurer
14 shall place money from this fee in the general fund. By the twentieth
15 day of the subsequent month, the state treasurer shall distribute to
16 each county treasurer according to the following formula: Three-
17 quarters of the funds available shall be equally distributed among
18 the thirty-nine counties; and the balance shall be ratably
19 distributed among the counties in direct proportion to their
20 population as it relates to the total state's population based on
21 most recent statistics by the office of financial management.

22 (b) When received by the county treasurer, the funds shall be
23 placed in a special real estate excise tax electronic technology fund
24 held by the county treasurer to be used exclusively for the
25 development, implementation, and maintenance of an electronic
26 processing and reporting system for real estate excise tax
27 affidavits. Funds may be expended to make the system compatible with
28 the automated real estate excise tax system developed by the
29 department and compatible with the processes used in the offices of
30 the county assessor and county auditor. Any funds held in the account
31 that are not expended by the earlier of: July 1, 2015, or at such
32 time that the county treasurer is utilizing an electronic processing
33 and reporting system for real estate excise tax affidavits compatible
34 with the department and compatible with the processes used in the
35 offices of the county assessor and county auditor, revert to the
36 special real estate and property tax administration assistance
37 account in accordance with subsection (~~(5)~~) (4) (c) of this section.

38 (4) (~~Beginning July 1, 2010, through December 31, 2013, the~~
39 ~~county treasurer shall continue to collect the additional five dollar~~
40 ~~fee in subsection (3) of this section on all transactions required by~~

1 ~~this chapter, regardless of whether the transaction requires the~~
2 ~~payment of tax. During this period, the county treasurer shall remit~~
3 ~~this fee to the state treasurer at the same time the county treasurer~~
4 ~~remits funds to the state under subsection (1) of this section. The~~
5 ~~state treasurer shall place money from this fee in the annual~~
6 ~~property revaluation grant account created in RCW 84.41.170.~~

7 (5)) (a) The real estate and property tax administration
8 assistance account is created in the custody of the state treasurer.
9 An appropriation is not required for expenditures and the account is
10 not subject to allotment procedures under chapter 43.88 RCW.

11 (b) Beginning January 1, 2014, the county treasurer must continue
12 to collect the additional five dollar fee in subsection (3) of this
13 section on all transactions required by this chapter, regardless of
14 whether the transaction requires the payment of tax. The county
15 treasurer shall deposit one-half of this fee in the special real
16 estate and property tax administration assistance account in
17 accordance with (c) of this subsection and remit the balance to the
18 state treasurer at the same time the county treasurer remits funds to
19 the state under subsection (1) of this section. The state treasurer
20 must place money from this fee in the real estate and property tax
21 administration assistance account. By the twentieth day of the
22 subsequent month, the state treasurer must distribute the funds to
23 each county treasurer according to the following formula: One-half of
24 the funds available must be equally distributed among the thirty-nine
25 counties; and the balance must be ratably distributed among the
26 counties in direct proportion to their population as it relates to
27 the total state's population based on most recent statistics by the
28 office of financial management.

29 (c) When received by the county treasurer, the funds must be
30 placed in a special real estate and property tax administration
31 assistance account held by the county treasurer to be used for:

32 (i) Maintenance and operation of an annual revaluation system for
33 property tax valuation; and

34 (ii) Maintenance and operation of an electronic processing and
35 reporting system for real estate excise tax affidavits."

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1 On page 1, line 2 of the title, after "tax;" strike the remainder
2 of the title and insert "and amending RCW 82.45.180."

EFFECT: Increases the population threshold for counties that may retain 1.48% of REET taxes for administrative costs from 300,000 to 400,000.

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