**1657-S AMH ORCU H2669.2 - NOT FOR FLOOR USE**

**SHB 1657** - H AMD **946**

By Representative Orcutt

On page 3, beginning on line 1, strike all of section 3 and insert the following:

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

(1) Subject to the limitations in this section, in computing the tax imposed under this chapter, a credit is allowed for all property taxes paid during the calendar year on property that provides 10 or more commercial truck parking spaces.

(a) In order to qualify for the credit under this section, substantial construction work on the commercial truck parking space must have begun after the effective date of this section.

(b) For purposes of this section, a "commercial truck parking space" must have minimum dimensions of 12 feet wide and 70 feet long.

(2) The maximum credit that may be earned by a person pursuant to this section and section 4 of this act each calendar year is $100,000.

(3) Credits are available on a first-in-time basis. The department must disallow any credits, or portion thereof, that would cause the total amount of credits claimed under this section and section 4 of this act during any calendar year to exceed $1,000,000. If this limitation is reached, the department must publish a notice on its website that the annual statewide limit has been met. In addition, the department must provide written notice to any person who has claimed tax credits in excess of the limitation in this subsection. The notice must indicate the amount of tax due and provide that the tax must be paid within 30 days from the date of the notice. The department may not assess penalties and interest as provided in chapter 82.32 RCW on the amount due in the initial notice if the amount due is paid by the due date specified in the notice, or any extension thereof.

(4) Any amount of tax credit earned during one calendar year may be carried forward and claimed against a person's tax liability for the next succeeding calendar year. Any credit remaining unused in the next succeeding calendar year may be carried forward and claimed against the person's tax liability for the second succeeding calendar year, but may not be carried over for any calendar year thereafter. Credits carried over must be applied before new credits. No refunds may be granted for credits under this section.

(5)(a) To claim a credit under this section, a person must electronically file with the department all returns, forms, and any other information required by the department in an electronic format.

(b) For purposes of this subsection, "return" has the same meaning as in RCW 82.32.050.

(6) Credits may not be claimed under this section for property taxes levied for collection prior to the effective date of this section.

(7) A person claiming the credit under this section is subject to all the requirements of chapter 82.32 RCW. A person claiming the credit provided in this section must file a complete annual tax performance report with the department pursuant to RCW 82.32.534.

(8)(a) This section expires one year after the secretary of the department of transportation certifies to the department that the state has sufficient safe, overnight commercial truck parking for the freight delivery needs of the state or January 1, 2033, whichever is earlier.

(b) The department shall provide written notice of the expiration date of this section to the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the department.

NEW SECTION. **Sec.**  A new section is added to chapter 82.16 RCW to read as follows:

(1) Subject to the limitations in this section, in computing the tax imposed under this chapter, a credit is allowed for all property taxes paid during the calendar year on property that provides 10 or more commercial truck parking spaces.

(a) In order to qualify for the credit under this section, substantial construction work on the commercial truck parking space must have begun after the effective date of this section.

(b) For purposes of this section, a "commercial truck parking space" must have minimum dimensions of 12 feet wide and 70 feet long.

(2) The maximum credit that may be earned by a person pursuant to this section and section 3 of this act each calendar year is $100,000.

(3) Credits are available on a first-in-time basis. The department must disallow any credits, or portion thereof, that would cause the total amount of credits claimed under this section and section 3 of this act during any calendar year to exceed $1,000,000. If this limitation is reached, the department must publish a notice on its website that the annual statewide limit has been met. In addition, the department must provide written notice to any person who has claimed tax credits in excess of the limitation in this subsection. The notice must indicate the amount of tax due and provide that the tax must be paid within 30 days from the date of the notice. The department may not assess penalties and interest as provided in chapter 82.32 RCW on the amount due in the initial notice if the amount due is paid by the due date specified in the notice, or any extension thereof.

(4) Any amount of tax credit earned during one calendar year may be carried forward and claimed against a person's tax liability for the next succeeding calendar year. Any credit remaining unused in the next succeeding calendar year may be carried forward and claimed against the person's tax liability for the second succeeding calendar year but may not be carried over for any calendar year thereafter. Credits carried over must be applied before new credits. No refunds may be granted for credits under this section.

(5)(a) To claim a credit under this section, a person must electronically file with the department all returns, forms, and any other information required by the department in an electronic format.

(b) For purposes of this subsection, "return" has the same meaning as in RCW 82.32.050.

(6) Credits may not be claimed under this section for property taxes levied for collection prior to the effective date of this section.

(7) A person claiming the credit under this section is subject to all the requirements of chapter 82.32 RCW. A person claiming the credit provided in this section must file a complete annual tax performance report with the department pursuant to RCW 82.32.534.

(8)(a) This section expires one year after the secretary of the department of transportation certifies to the department that the state has sufficient safe, overnight commercial truck parking for the freight delivery needs of the state or January 1, 2033, whichever is earlier.

(b) The department shall provide written notice of the expiration date of this section to the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the department."

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

On page 8, beginning on line 35, strike all of section 7

Correct the title.

EFFECT: Eliminates the property tax exemption for property that has 10 or more newly constructed commercial truck parking spaces. Provides an annual business and occupation (B&O) tax credit and a public utilities tax (PUT) credit for property taxes paid on property with newly constructed commercial truck parking spots. The annual credit amount for the B&O and PUT credits combined is up to $100,000 per person with an annual statewide cap of $1,000,000 in all credits.