S-3993.1

SENATE BILL 6211

State of Washington 69th Legislature 2026 Regular Session

By Senators J. Wilson, Lovelett, Frame, and Nobles

Read first time 01/19/26. Referred to Committee on Local Government.

AN ACT Relating to creating uniformity for the process by which cities planning under the growth management act implement real estate excise taxes; and reenacting and amending RCW 82.46.035.

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

Sec. 1. RCW 82.46.035 and 2025 c 85 s 2 and 2025 c 159 s 5 are each reenacted and amended to read as follows:

(1) The legislative authority of any county or city must identify in the adopted budget the capital projects funded in whole or in part from the proceeds of the tax authorized in this section, and must indicate that such tax is intended to be in addition to other funds that may be reasonably available for such capital projects.

(2) The legislative authority of any county or any city that plans under RCW 36.70A.040((~~(1)~~)) may impose an additional excise tax on each sale of real property in the unincorporated areas of the county for the county tax and in the corporate limits of the city for the city tax at a rate not exceeding 0.25 percent of the selling price. ((~~Any county choosing to plan under RCW 36.70A.040(2) and any city within such a county may only adopt an ordinance imposing the excise tax authorized by this section if the ordinance is first authorized by a proposition approved by a majority of the voters of the taxing district voting on the proposition at a general election~~

~~held within the district or at a special election within the taxing district called by the district for the purpose of submitting such proposition to the voters.~~))

(3) Except as provided in subsection (5) of this section, revenues generated from the tax imposed under subsection (2) of this section must be used by such counties and cities solely for capital projects specified in a capital facilities plan element of a comprehensive plan. However, revenues (a) pledged by such counties and cities to debt retirement prior to March 1, 1992, may continue to be used for that purpose until the original debt for which the revenues were pledged is retired, or (b) committed prior to March 1, 1992, by such counties or cities to a project may continue to be used for that purpose until the project is completed.

(4) As used in this section, "city" means any city or town and "capital project" means those public works projects or public investments of a local government for:

(a) Planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, or improvement of streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, bridges, domestic water systems, storm and sanitary sewer systems;

(b) Planning, construction, reconstruction, repair, rehabilitation, or improvement of parks;

(c)(i) Planning, construction, reconstruction, repair, rehabilitation, or improvement of either of the following categories of airports:

(A) Airports included in the most recent Washington aviation system plan published by the Washington department of transportation aviation division; and

(B) Airports included in the national plan of integrated airport systems with less than 10,000 annual enplanements as determined by the most recent enplanement data published by the federal aviation administration((~~.~~))__;__

(ii) "Capital project" does not include the installation or improvement of fuel systems for the distribution of leaded fuel at an airport as described in this subsection (4)(c); ((~~and~~))

(d) Planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, or improvement of facilities for those experiencing homelessness and affordable housing projects; and

(e) Any use allowed under RCW 82.46.010.

(5) Revenues generated by the tax imposed under subsection (2) of this section may be used towards planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, or improvement of facilities for those experiencing homelessness and affordable housing projects that are supported through an interlocal housing collaboration as established under chapter 39.34 RCW.

(6) A county or city may use the greater of $100,000 or 25 percent of available funds for capital projects as defined in subsection (4)(d) of this section. The limits in this subsection do not apply to any county or city that used revenue under this section for the acquisition, construction, improvement, or rehabilitation of facilities to provide housing for the homeless prior to June 30, 2019.

(7) A county or city using funds for uses in subsection (4)(d) of this section must document in its plan under RCW 36.70A.070(3) that it has funds during the next two years for capital projects in subsection (4)(a) and (b) of this section.

(8) When the governor files a notice of noncompliance under RCW 36.70A.340 with the secretary of state and the appropriate county or city, the county or city's authority to impose the additional excise tax under this section is temporarily rescinded until the governor files a subsequent notice rescinding the notice of noncompliance.

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