

WSR 21-16-070

AGENDA

DEPARTMENT OF REVENUE

[Filed July 30, 2021, 12:18 p.m.]

**Semi-Annual Rule-Making Agenda
July 1 – December 31, 2021**

Following is the department of revenue's (department) semi-annual rule-making agenda for publication in the Washington State Register. This list identifies rules the department is currently working on and rules the department anticipates working on during the next six months.

The department's rule-making agenda is also available on its website. The information on the site is continually updated as the department files rule-making notices, or otherwise adds or deletes rules that it anticipates some action over the next six months, including rules added or deleted as a result of resource allocation, legislation, court decisions, or changes in rule-making priorities.

Rule Number and Title	Rule Drafter	Preproposal (CR-101)	Proposal (CR-102 or CR-105)	Adoption (CR-103)	Reason for Anticipated Changes
WAC 458-16-266 Homeownership development	Leslie Mullin	CR-101 Filed: 1/8/2019 WSR 19-03-043 Public Meeting: 12/6/2018, at 10:00 a.m. Anticipate second CR-101 in 4th quarter of 2021.	Anticipate CR-102 in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022.	Recognize 2018 legislation
WAC 458-14-127 Reconvened boards—Authority	Leslie Mullin	CR-101 Filed: 12/6/2017 WSR 17-24-126 Public Meeting: 1/10/2018, at 10:00 a.m. Anticipate second CR-101 in 3rd quarter of 2021.	CR-102 Filed: 4/3/2018 WSR 18-08-077 Public Hearing: 5/10/2018, at 10:00 a.m. Anticipate filing second CR-102 and conducting additional public hearing in the 1st quarter of 2022.	Anticipate adoption in the 1st quarter of 2022.	General updates and to recognize legislation
WAC 458-19-085 Refunds—Procedures—Applicable limits	Leslie Mullin	Anticipate CR-101 in the 3rd quarter of 2021.	Anticipate CR-102 in the 4th quarter of 2021.	Anticipate adoption in the 1st quarter of 2022.	General updates and to recognize legislation
WAC 458-19-550 State levy—Apportionment between cities	Leslie Mullin	Anticipate CR-101 in the 4th quarter of 2021.	Anticipate CR-102 in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022.	Recognize legislation
WAC 458-20-136 Manufacturing, processing for hire, fabricating	Matthew Largent	Anticipate CR-101 and public meeting in the 4th quarter of 2021.	Anticipate CR-102 and public hearing in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022.	General updates
WAC 458-20-13601 Manufacturers and processors for hire—Sales and use tax exemptions for machinery and equipment	Matthew Largent	CR-101 Filed: 4/4/2017 WSR 17-08-077 Public Meeting: 4/19/2017, at 10:00 a.m. Anticipate second CR-101 filing and additional public meeting in the 4th quarter of 2021.	CR-102 Filed: 5/19/2017 WSR 17-11-090 Public Hearing: 6/29/2017, at 10:00 a.m. Anticipate second CR-102 filing and additional public hearing in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022.	General updates

Rule Number and Title	Rule Drafter	Preproposal (CR-101)	Proposal (CR-102 or CR-105)	Adoption (CR-103)	Reason for Anticipated Changes
WAC 458-20-1550 Digital products	Katie Koontz	CR-101 Filed: 2/6/2018 WSR 18-04-093 Public Meeting: 3/22/2018, at 1:00 p.m. Anticipate second CR-101 filing and additional public hearing in the 3rd quarter of 2021.	Anticipate CR-102 and public hearing in the 1st quarter of 2022.	Anticipate adoption in the 1st quarter of 2022.	General updates
WAC 458-20-18301 Athletic and fitness facilities	Leslie Mullin	Anticipate CR-101 and public meeting in 1st quarter of 2022.	Anticipate CR-102 and public hearing in the 2nd quarter of 2022.	Anticipate adoption in the 3rd quarter of 2022.	New rule to recognize legislation
WAC 458-20-19402 Single factor receipts apportionment—Generally	Patrick Murphy	CR-101 Filed: 7/31/2017 WSR 17-16-113 Public Meeting: 9/11/2017, at 1:00 p.m. Anticipate second CR-101 filing and additional public meeting in the 4th quarter of 2021.	Anticipate CR-102 and public hearing in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022.	General updates
WAC 458-20-193 Interstate sales of tangible personal property	Brenton Madison	CR-101 Filed: 10/2/2018 WSR 18-20-095 Anticipate second CR-101 filing and additional public meeting in the 3rd quarter of 2021.	Anticipate CR-102 and public hearing in the 4th quarter of 2021.	Emergency Filed: 9/26/2018 WSR 18-20-045 2nd Emergency Adoption: 1/31/2019 WSR 19-04-001 3rd Emergency Adoption: 5/22/2019 WSR 19-12-004 4th Emergency Adoption: WSR 19-19-079 5th Emergency Adoption: WSR 20-04-015 6th Emergency Adoption: WSR 20-12-009 7th Emergency Adoption: WSR 21-06-026 Anticipate adoption in 1st quarter of 2022.	Recognize <i>Wayfair</i> decision and legislation

Rule Number and Title	Rule Drafter	Preproposal (CR-101)	Proposal (CR-102 or CR-105)	Adoption (CR-103)	Reason for Anticipated Changes
WAC 458-20-221 Collection of use tax by retailers and selling agents	Brenton Madison	CR-101 Filed: 10/2/2018 WSR 18-20-098 Anticipate second CR-101 filing and additional public meeting in the 3rd quarter of 2021.	Anticipate CR-102 and public hearing in the 4th quarter of 2021.	Emergency Filed: 9/26/2018 WSR 18-20-045 2nd Emergency Adoption: 1/31/2019 WSR 19-04-001 3rd Emergency Adoption: 5/22/2019 WSR 19-12-004 4th Emergency Adoption: 9/17/2019 WSR 19-19-079 5th Emergency Adoption: 1/24/2020 WSR 20-04-015 6th Emergency Adoption: WSR 20-12-009 7th Emergency Adoption: WSR 21-06-026 Anticipate adoption in 1st quarter of 2022.	Recognize <i>Wayfair</i> decision of 2018 and 2019 legislation
WAC 458-20-141 Duplicating activities and mailing bureaus	Leslie Mullin	CR-101 Filed: 3/18/2020 WSR 20-07-113 Public Meeting: 4/15/2020, at 11:00 a.m.	CR-102 Filed: 5/1/2020 WSR 20-10-068 Public Hearing: 6/10/2020, at 10:00 a.m. Anticipate second CR-102 filing and additional public hearing in the 4th quarter of 2021.	Anticipate CR-103 in 1st quarter of 2022.	General updates
WAC 458-20-263 Exemptions from retail sales and use taxes for qualifying electric generating systems using renewable energy sources	Brenton Madison	Anticipate CR-101 and public meeting in the 3rd quarter of 2021.	Anticipate CR-102 and public hearing in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022.	Recognize 2019 legislation
WAC 458-20-233 Tax liability of medical and hospital service bureaus and associations and similar health care organizations	Darius Massoudi	Anticipate CR-101 and public meeting in the 3rd quarter of 2021.	Anticipate CR-102 and Public Hearing in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022	Recognize 2019 legislation
WAC 458-20-27901 New exemptions on sales/leases of alternative fuel passenger vehicles	Leslie Mullin	Anticipate CR-101 and public meeting in the 3rd quarter of 2021.	Anticipate CR-102 and public hearing in the 4th quarter of 2021.	Anticipate adoption in the 1st quarter of 2022.	Recognize 2019 legislation
WAC 458-XX-XXX New tax on vapor products	Atif Aziz	Anticipate CR-101 and public meeting in the 4th quarter of 2021.	Anticipate CR-102 and public hearing in the 2nd quarter of 2022.	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2019 legislation
WAC 458-61A-XXX Exemption for sale of self-help housing	Rex Munger	Anticipate CR-101 and public meeting in the 3rd quarter of 2021.	Anticipate CR-102 in the 4th quarter of 2021.	Anticipate adoption in [the] 1st quarter of 2022.	Recognize 2019 legislation
WAC 458-20-17902 Brokered natural gas—Use tax	Jennifer Arnold	Anticipate CR-101 and public meeting in the 3rd quarter of 2021.	Anticipate CR-102 and public hearing in the 4th quarter of 2021.	Anticipate adoption in the 1st quarter of 2022.	General updates
WAC 458-20-17001 Government contracting—Construction, installations, or improvements to government real property	Patrick Watkins	Anticipate CR-101 and public meeting in the 2nd quarter of 2021.	Anticipate CR-102 and public hearing in the 3rd quarter of 2021.	Anticipate adoption in the 4th quarter of 2021.	General updates

Rule Number and Title	Rule Drafter	Preproposal (CR-101)	Proposal (CR-102 or CR-105)	Adoption (CR-103)	Reason for Anticipated Changes
WAC 458-20-171 Building, repairing or improving streets, roads, etc., which are owned by a municipal corporation or political subdivision of the state or by the United States and which are used primarily for foot or vehicular traffic	Darius Massoudi	Anticipate CR-101 and public meeting in the 3rd quarter of 2021.	Anticipate CR-102 and public hearing in the 4th quarter of 2021.	Anticipate adoption in the 1st quarter of 2022.	General updates
WAC 458-20-178 Use tax	Brenton Madison	Anticipate CR-101 and public meeting in the 4th quarter of 2021.	Anticipate CR-102 and public hearing in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022.	General update
WAC 458-20-196 Bad debts	Jennifer Arnold	Anticipate CR-101 and public meeting in the 4th quarter of 2021.	Anticipate CR-102 and public meeting in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022.	General update
WAC 458-20-XXX New rule on advanced computing businesses	Leslie Mullin	CR-101 Filed: 2/17/2021 WSR 21-05-068 Public Meeting: 3/10/2021, at 10:00 a.m.	CR-102 Filed: 7/28/2021 WSR 21-16-050 Public Hearing: 9/8/2021, at 10:00 a.m.	Anticipate adoption in the 3rd quarter of 2021.	Recognize 2020 legislation
WAC 458-16-080 Improvements to single family dwellings—Definitions—Exemption—Limitation—Appeal rights	Leslie Mullin	Anticipate CR-101 and public meeting in the 3rd quarter of 2021.	Anticipate CR-102 and public hearing in the 4th quarter of 2021.	Anticipate adoption in the 1st quarter of 2022.	Recognize 2020 legislation
WAC 458-18-210 Sales of tangible personal property for farming—Sales of agricultural products by farmers	Leslie Mullin	N/A - Anticipate CR-105.	N/A	Anticipate adoption in [the] 4th quarter of 2019.	Recognize 2019 legislation
WAC 458-61A-211 Mere change in identity or form—Family corporations and partnerships	Rex Munger	Anticipate CR-101 and public meeting in the 4th quarter of 2021.	Anticipate CR-102 in the 1st quarter of 2022.	Anticipate adoption in [the] 4th quarter of 2021.	General Updates
WAC 458-20-169 Nonprofit organizations	Leslie Mullin	N/A	N/A	Anticipate adoption in [the] 4th quarter of 2021.	Recognize 2021 legislation
WAC 458-20-166 Hotels, motels, boarding houses, rooming houses, resorts, hostels, trailer camps, short-term rentals and similar lodging businesses	Rex Munger	N/A	N/A	Anticipate adoption in [the] 4th quarter of 2021.	Recognize 2021 legislation
WAC 458-20-179 Public utility tax	Brenton Madison	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-20-238 Sales of watercraft to nonresidents—Use of watercraft in Washington by nonresidents	Melinda Mandell	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-20-134 Commercial or industrial use	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-29A-600 Leasehold excise tax—Collection and administration	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-20-261 Commute trip reduction incentives	Darius Massoudi	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-20-195 Taxes, deductibility	Melinda Mandell	N/A	N/A	Anticipate adoption in the 2nd quarter of 2022.	Recognize 2021 legislation
WAC 458-20-262 Retail sales and use tax exemptions for agricultural employee housing	Rex Munger	N/A	N/A	Anticipate adoption in the 2nd quarter of 2022.	Recognize 2021 legislation
WAC 458-20-119 Sales by caterers and food service contractors	Leslie Mullin	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation
WAC 458-20-124 Restaurants, cocktail bars, taverns and similar businesses	Leslie Mullin	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation

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WAC 458-20-168 Hospitals, nursing homes, assisted living facilities, adult family homes and similar health care facilities	Leslie Mullin	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation
WAC 458-20-169 Nonprofit organizations	Leslie Mullin	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation
WAC 458-20-244 Food and food ingredients	Leslie Mullin	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation
WAC 458-20-249 Artistic or cultural organizations	Leslie Mullin	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation
WAC 458-61A-211 Mere change in identity or form—Family corporations and partnerships	Leslie Mullin	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation
WAC 458-20-217 Lien for taxes	Darius Massoudi	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation
WAC 458-20-100 Informal administrative reviews	Chelsea Brenegan	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation
WAC 458-19-070 Five dollars and ninety cents statutory aggregate dollar rate limit calculation	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-19-075 Constitutional one percent limit calculation	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-19-005 Definitions	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-19-025 Restoration of regular levy	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-19-030 Levy limit—Consolidation of districts	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-19-035 Levy limit—Annexation	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-07-010 Valuation and revaluation of real property—Introduction	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-07-015 Revaluation of real property	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-16A-100 Senior citizen, disabled person, and disabled veteran exemption—Definitions	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-16A-120 Senior citizen, disabled person, and disabled veteran exemption—Determining combined disposable income	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-16A-135 Senior citizen, disabled person, and disabled veteran exemption—Application procedures	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-19-045 Levy limit—Removal of limit (lid lift)	Leslie Mullin	N/A	N/A	Anticipate adoption in the 4th quarter of 2021.	Recognize 2021 legislation
WAC 458-16-080 Improvements to single family dwellings—Definitions—Exemption—Limitation—Appeal rights	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation

Rules Requiring Periodic Updates

Rule Number and Title	Rule Drafter	Preproposal (CR-101)	Proposal (CR-102 or CR-105)	Adoption (CR-103)	Reason for Anticipated Changes
WAC 458-40-660 Timber excise tax—Stumpage value tables—Stumpage value adjustments	Jennifer Arnold	CR-101 Filed: 1/20/2021 WSR 21-03-091 Public Meeting: 4/20/2021, at 10:00 a.m.	CR-102 Filed: 4/28/2021 WSR 21-10-042 Public Hearing: 6/8/2021, at 11:30 a.m.	Adopted: 6/18/2021 WSR 21-13-100	Semi-annual updates that are effective January 1 and July 1 of each year
WAC 458-40-540 Forest land values	Brenton Madison	Anticipate CR-101 and public meeting in the 2nd quarter of 2021.	Anticipate CR-102 and public meeting in the 3rd quarter of 2021.	Anticipate adoption in the 4th quarter of 2021.	Semi-annual updates that are effective January 1 of each year
WAC 458-18-220 Rates of interest	Leslie Mullin	N/A	CR-105 Filed: 10/19/2020 WSR 20-21-078	Adopted: 12/23/2020 WSR 21-01-210	Must be amended by the 1st of January each year
WAC 458-20-23801 Watercraft excise tax—Watercraft depreciation schedule	Brenton Madison	CR-101 Filed: 5/19/2021 WSR 21-11-093 Public Meeting: 6/21/2021, at 10:00 a.m.	CR-102 Filed: 7/21/2021 WSR 21-15-126 Public Hearing: 8/25/2021, at 10:00 a.m.	Anticipate adoption in the 4th quarter of 2021.	RCW 82.49.040 requires the department of revenue to prepare a depreciation schedule (at minimum annually) for use in the determination of fair market value for watercrafts, which is the basis for measuring the watercraft excise tax. The purpose of this rule-making effort is to adopt a watercraft excise tax depreciation schedule by rule
WAC 458-30-262 Agricultural land valuation—Interest rate—Property tax component	Leslie Mullin	N/A	CR-105 Filed: 10/19/2020 WSR 20-21-078	Adopted: 12/23/2020 WSR 21-01-210	Annual updates
WAC 458-30-590 Rates of inflation—Publication—Interest rate—Calculation	Leslie Mullin	N/A	CR-105 Filed: 10/19/2020 WSR 20-21-078	Adopted: 12/23/2020 WSR 21-01-210	Annual updates