
SENATE BILL 6061

State of Washington 59th Legislature 2005 Regular Session

By Senators Rockefeller and Prentice

Read first time 02/28/2005. Referred to Committee on Judiciary.

1 AN ACT Relating to the disclosure of controlling interest transfers
2 in business organizations for real estate excise tax purposes; adding
3 a new section to chapter 43.07 RCW; and adding a new section to chapter
4 82.45 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.07 RCW
7 to read as follows:

8 (1) The secretary of state shall adopt rules requiring any entity
9 that is required to file an annual report with the secretary of state,
10 including entities under Titles 23, 23B, 24, and 25 RCW, to disclose
11 any transfer in the controlling interest of the entity and any interest
12 in real property.

13 (2) This information shall be made available to the department of
14 revenue upon request for the purposes of tracking the transfer of the
15 controlling interest in real property and to determine when the real
16 estate excise tax is applicable in such cases.

17 (3) For the purposes of this section, "controlling interest" has
18 the same meaning as provided in RCW 82.45.033.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.45 RCW
2 to read as follows:

3 An organization that fails to report a transfer of the controlling
4 interest in the organization under section 1 of this act to the
5 secretary of state and is later determined to be subject to real estate
6 excise taxes due to the transfer, shall be subject to the provisions of
7 RCW 82.45.100 as well as the evasion penalty in RCW 82.32.090(6).

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