

SB 5498 - S AMD 271

By Senator Benton

ADOPTED 4/2/2007

1 On page 1, beginning on line 4, strike section 1 and insert the
2 following:

3 "Sec. 1. RCW 82.14.450 and 2003 1st sp.s. c 24 s 2 are each
4 amended to read as follows:

5 (1) A county legislative authority may submit an authorizing
6 proposition to the county voters at a primary or general election and,
7 if the proposition is approved by a majority of persons voting, impose
8 a sales and use tax in accordance with the terms of this chapter. The
9 title of each ballot measure must clearly state the purposes for which
10 the proposed sales and use tax will be used. Funds raised under this
11 tax shall not supplant existing funds used for these purposes. For
12 purposes of this subsection, existing funds means the actual operating
13 expenditures for the calendar year in which the ballot measure is
14 approved by voters. Actual operating expenditures excludes lost
15 federal funds, lost or expired state grants or loans, extraordinary
16 events not likely to reoccur, changes in contract provisions beyond the
17 control of the county or city receiving the services, and major
18 nonrecurring capital expenditures. The rate of tax under this section
19 shall not exceed three-tenths of one percent of the selling price in
20 the case of a sales tax, or value of the article used, in the case of
21 a use tax.

22 (2) The tax authorized in this section is in addition to any other
23 taxes authorized by law and shall be collected from those persons who
24 are taxable by the state under chapters 82.08 and 82.12 RCW upon the
25 occurrence of any taxable event within the county.

26 (3) The retail sale or use of motor vehicles, and the lease of
27 motor vehicles for up to the first thirty-six months of the lease, are
28 exempt from tax imposed under this section.

29 (4) One-third of all money received under this section shall be
30 used solely for criminal justice purposes. For the purposes of this
31 subsection, "criminal justice purposes" means additional police
32 protection, mitigation of congested court systems, or relief of
33 overcrowded jails or other local correctional facilities.

1 (5) Money received under this section shall be shared between the
2 county and the cities as follows: Sixty percent shall be retained by
3 the county and forty percent shall be distributed on a per capita basis
4 to cities in the county."

5 On page 3, line 6, following "used", insert ", and funds raised
6 under the levy shall not supplant existing funds used for these
7 purposes. For purposes of this subsection, existing funds means the
8 actual operating expenditures for the calendar year in which the ballot
9 measure is approved by voters. Actual operating expenditures excludes
10 lost federal funds, lost or expired state grants or loans,
11 extraordinary events not likely to reoccur, changes in contract
12 provisions beyond the control of the taxing district receiving the
13 services, and major nonrecurring capital expenditures."

14 Renumber the sections consecutively and correct any internal
15 references accordingly.
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EFFECT: Retains the non-supplant requirements currently in law for the city and county local sales tax option and levy lid lifts. Defines existing funds for non-supplant requirements to mean operating expenditures in the year the ballot measure is approved by voters minus lost federal funds, lost or expired state loans or grants, extraordinary events not likely to reoccur, changes in contract provisions beyond the control of taxing district receiving the services, and major nonrecurring capital expenditures.