

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2822

Chapter 9, Laws of 2012

62nd Legislature
2012 1st Special Session

LOCAL SALES AND USE TAX ACCOUNT--DEPOSITS AND DISTRIBUTIONS

EFFECTIVE DATE: 07/10/12

Passed by the House April 5, 2012
Yeas 82 Nays 15

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 10, 2012
Yeas 42 Nays 5

BRAD OWEN

President of the Senate

Approved May 2, 2012, 2:04 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2822** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

May 2, 2012

**Secretary of State
State of Washington**

HOUSE BILL 2822

Passed Legislature - 2012 1st Special Session

State of Washington 62nd Legislature 2012 1st Special Session

By Representative Hunter; by request of Governor Gregoire and State Treasurer

Read first time 04/03/12. Referred to Committee on Ways & Means.

1 AN ACT Relating to local sales and use tax account deposits and
2 distributions; and amending RCW 82.14.050.

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

4 **Sec. 1.** RCW 82.14.050 and 2009 c 469 s 107 are each amended to
5 read as follows:

6 (1) The counties, cities, and transportation authorities under RCW
7 82.14.045, public facilities districts under chapters 36.100 and 35.57
8 RCW, public transportation benefit areas under RCW 82.14.440, regional
9 transportation investment districts, and transportation benefit
10 districts under chapter 36.73 RCW (~~shall~~) must contract, prior to the
11 effective date of a resolution or ordinance imposing a sales and use
12 tax, the administration and collection to the state department of
13 revenue, which (~~shall~~) must deduct a percentage amount, as provided
14 by contract, not to exceed two percent of the taxes collected for
15 administration and collection expenses incurred by the department. The
16 remainder of any portion of any tax authorized by this chapter that is
17 collected by the department of revenue (~~shall~~) must be deposited by
18 the state department of revenue in the local sales and use tax account
19 hereby created in the state treasury. Beginning January 1, 2013, the

1 department of revenue must make deposits in the local sales and use tax
2 account on a monthly basis on the last business day of the month in
3 which distributions required in (a) of this subsection are due. Moneys
4 in the local sales and use tax account may be withdrawn only for:

5 (a) Distribution to counties, cities, transportation authorities,
6 public facilities districts, public transportation benefit areas,
7 regional transportation investment districts, and transportation
8 benefit districts imposing a sales and use tax; and

9 (b) Making refunds of taxes imposed under the authority of this
10 chapter and RCW 81.104.170 and exempted under RCW 82.08.962 and
11 82.12.962.

12 (2) All administrative provisions in chapters 82.03, 82.08, 82.12,
13 and 82.32 RCW, as they now exist or may hereafter be amended,
14 (~~shall~~) insofar as they are applicable to state sales and use taxes,
15 (~~be~~) are applicable to taxes imposed pursuant to this chapter.

16 (3) Counties, cities, transportation authorities, public facilities
17 districts, and regional transportation investment districts may not
18 conduct independent sales or use tax audits of sellers registered under
19 the streamlined sales tax agreement.

20 (4) Except as provided in RCW 43.08.190 and subsection (5) of this
21 section, all earnings of investments of balances in the local sales and
22 use tax account (~~shall~~) must be credited to the local sales and use
23 tax account and distributed to the counties, cities, transportation
24 authorities, public facilities districts, public transportation benefit
25 areas, regional transportation investment districts, and transportation
26 benefit districts monthly.

27 (5) Beginning January 1, 2013, the state treasurer must determine
28 the amount of earnings on investments that would have been credited to
29 the local sales and use tax account if the collections had been
30 deposited in the account over the prior month. When distributions are
31 made under subsection (1)(a) of this section, the state treasurer must
32 transfer this amount from the state general fund to the local sales and
33 use tax account and must distribute such sums to the counties, cities,
34 transportation authorities, public facilities districts, public
35 transportation benefit areas, regional transportation investment
36 districts, and transportation benefit districts.

Passed by the House April 5, 2012.

Passed by the Senate April 10, 2012.

Approved by the Governor May 2, 2012.

Filed in Office of Secretary of State May 2, 2012.