
SENATE BILL 5103

State of Washington 63rd Legislature 2013 Regular Session

By Senators Harper, Murray, Litzow, Frockt, Conway, Fain, and Kohl-Welles

Read first time 01/18/13. Referred to Committee on Ways & Means.

1 AN ACT Relating to grants for community outdoor and indoor athletic
2 facilities; amending RCW 43.99N.060; and adding a new section to
3 chapter 82.32 RCW.

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

5 **Sec. 1.** RCW 43.99N.060 and 2009 c 497 s 6026 are each amended to
6 read as follows:

7 (1) The stadium and exhibition center account is created in the
8 custody of the state treasurer. All receipts from the taxes imposed
9 under RCW 82.14.0494 and distributions under RCW 67.70.240(5) shall be
10 deposited into the account. Only the director of the office of
11 financial management or the director's designee may authorize
12 expenditures from the account. The account is subject to allotment
13 procedures under chapter 43.88 RCW. An appropriation is not required
14 for expenditures from this account.

15 (2) Until bonds are issued under RCW 43.99N.020, up to five million
16 dollars per year beginning January 1, 1999, shall be used for the
17 purposes of subsection (3)(b) of this section, all remaining moneys in
18 the account shall be transferred to the public stadium authority,

1 created under RCW 36.102.020, to be used for public stadium authority
2 operations and development of the stadium and exhibition center.

3 (3) After bonds are issued under RCW 43.99N.020, all moneys in the
4 stadium and exhibition center account shall be used exclusively for the
5 following purposes in the following priority:

6 (a) On or before June 30th of each year, the office of financial
7 management shall accumulate in the stadium and exhibition center
8 account an amount at least equal to the amount required in the next
9 succeeding twelve months for the payment of principal of and interest
10 on the bonds issued under RCW 43.99N.020;

11 (b) An additional reserve amount not in excess of the expected
12 average annual principal and interest requirements of bonds issued
13 under RCW 43.99N.020 shall be accumulated and maintained in the
14 account, subject to withdrawal by the state treasurer at any time if
15 necessary to meet the requirements of (a) of this subsection, and,
16 following any withdrawal, reaccumulated from the first tax revenues and
17 other amounts deposited in the account after meeting the requirements
18 of (a) of this subsection; and

19 (c) The balance, if any, shall be transferred to the youth athletic
20 facility account under subsection (4) of this section.

21 Any revenues derived from the taxes authorized by RCW 36.38.010(5)
22 and 36.38.040 or other amounts that if used as provided under (a) and
23 (b) of this subsection would cause the loss of any tax exemption under
24 federal law for interest on bonds issued under RCW 43.99N.020 shall be
25 deposited in and used exclusively for the purposes of the youth
26 athletic facility account and shall not be used, directly or
27 indirectly, as a source of payment of principal of or interest on bonds
28 issued under RCW 43.99N.020, or to replace or reimburse other funds
29 used for that purpose.

30 (4)(a) Any moneys in the stadium and exhibition center account not
31 required or permitted to be used for the purposes described in
32 subsection (3)(a) and (b) of this section and revenues specified under
33 section 2 of this act shall be deposited in the youth athletic facility
34 account hereby created in the state treasury.

35 (b) Expenditures from the youth athletic facility account may be
36 used only for purposes of making grants (~~(or loans)~~) to cities,
37 counties, and (~~(qualified nonprofit organizations)~~) metropolitan park
38 districts created under chapter 35.61 RCW for community outdoor or

1 indoor athletic facilities. Only the director of the recreation and
2 conservation office or the director's designee may authorize
3 expenditures from the account. The account is subject to allotment
4 procedures under chapter 43.88 RCW, but an appropriation is not
5 required for expenditures.

6 (c)(i) The athletic facility grants ((or loans)) may be used for
7 ((acquiring, developing, equipping, maintaining, and improving
8 community outdoor athletic facilities. Funds shall be divided equally
9 between the development of new community outdoor athletic facilities,
10 the improvement of existing community outdoor athletic facilities, and
11 the maintenance of existing community outdoor athletic facilities.))
12 the following purposes for community outdoor or indoor athletic
13 facilities that are designed to serve youth or communities:

14 (A) Acquisition of land to support facilities;

15 (B) Development;

16 (C) Renovation; or

17 (D) Equipping community outdoor or indoor athletic facilities.

18 (ii) Acquisition of land and development of facilities must provide
19 new youth and community athletic opportunities.

20 (iii) Renovation must increase playing capacity of an existing
21 facility by changing its use, extending its use, or expanding its size.

22 (iv) Maintenance must result in continuing or retaining the
23 originally designed and built use and capacity of the existing
24 facility.

25 (d) Cities, counties, and ((qualified nonprofit organizations))
26 metropolitan park districts must submit proposals for grants ((or loans
27 from the account. To the extent that funds are available, cities,
28 counties, and qualified nonprofit organizations)) to the recreation and
29 conservation office and must meet eligibility criteria as established
30 by the ((director of the)) recreation and conservation ((office))
31 funding board. The grants ((and loans)) shall be awarded ((on))
32 through a competitive application process ((and the amount of the grant
33 or loan shall be in proportion to the population of the city or county
34 for where the community outdoor athletic facility is located)). Grants
35 ((or loans)) awarded in any one year need not be distributed in that
36 year. ((In the 2009-2011 biennium, if there are not enough project
37 applications submitted in a category within the account to meet the

1 ~~requirement of equal distribution of funds to each category, the~~
2 ~~director of the recreation and conservation office may distribute any~~
3 ~~remaining funds to other categories within the account.))~~

4 (e) The director of the recreation and conservation office may
5 expend up to ((one and one-half)) three percent of the moneys deposited
6 in the account created in this subsection for administrative purposes.

7 NEW SECTION. Sec. 2. A new section is added to chapter 82.32 RCW
8 to read as follows:

9 (1) By October 1, 2013, and by October 1st of every third year
10 thereafter, the department must estimate the amount of state sales and
11 use tax revenue collected in the prior fiscal year from the sale of or
12 charge made for the right to participate in competitive team sport
13 activities, including competitive team sport tournaments, and provide
14 the estimated amount to the state treasurer.

15 (2) By November 1, 2013, and by November 1st of every year
16 thereafter, the state treasurer must transfer fifty percent of the most
17 recent estimated amount under subsection (1) of this section from the
18 general fund into the youth athletic facility account created in RCW
19 43.99N.060.

20 (3) By December 1, 2016, and by December 1st of every year in which
21 an updated estimate is determined under subsection (1) of this section,
22 the department must provide the fiscal committees of the legislature
23 with a summary report of the assumptions, data sources, and methodology
24 that were used in the preparation of the estimate required under
25 subsection (1) of this section. The assumptions in the report must
26 include a discussion of taxpayer compliance with respect to the
27 collection and remittance of sales and use taxes on sale of or charge
28 made for the right to participate in competitive team sport activities,
29 including competitive team sport tournaments.

30 (4) For the purposes of this section, "competitive team sport"
31 means a sport in which teams of two or more players compete against one
32 another where the collective effort of the teams' members determines
33 the final score and the outcome of the competition.

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