

SSB 6116 - S AMD 554
By Senator Murray

1 Strike everything after the enacting clause and insert the
2 following:

3 "**Sec. 1.** RCW 82.14.360 and 2008 c 86 s 104 are each amended to
4 read as follows:

5 (1) The legislative authority of a county with a population of one
6 million five hundred thousand or more may impose a special stadium
7 sales and use tax upon the retail sale or use within the county by
8 restaurants, taverns, and bars of food and beverages that are taxable
9 by the state under chapters 82.08 and 82.12 RCW. The rate of the tax
10 shall not exceed five-tenths of one percent of the selling price in the
11 case of a sales tax, or value of the article used in the case of a use
12 tax. The tax authorized under this subsection is in addition to any
13 other taxes authorized by law and shall not be credited against any
14 other tax imposed upon the same taxable event. As used in this
15 section, "restaurant" does not include grocery stores, mini-markets, or
16 convenience stores. A county may not impose the tax authorized in this
17 subsection after December 31, 2015.

18 (2) The legislative authority of a county with a population of one
19 million five hundred thousand or more may impose a special stadium
20 sales and use tax upon retail car rentals within the county that are
21 taxable by the state under chapters 82.08 and 82.12 RCW. The rate of
22 the tax shall not exceed two percent of the selling price in the case
23 of a sales tax, or rental value of the vehicle in the case of a use
24 tax. The tax imposed under this subsection is in addition to any other
25 taxes authorized by law and shall not be credited against any other tax
26 imposed upon the same taxable event.

27 (3) (a) Except as provided in (b) of this subsection, the revenue
28 from the taxes imposed under the authority of this section shall be
29 used for the purpose of principal and interest payments on bonds,
30 issued by the county, to acquire, construct, own, remodel, maintain,

1 equip, reequip, repair, and operate a baseball stadium. Revenues from
2 the taxes authorized in this section may be used for design and other
3 preconstruction costs of the baseball stadium until bonds are issued
4 for the baseball stadium. The county shall issue bonds, in an amount
5 determined to be necessary by the public facilities district, for the
6 district to acquire, construct, own, and equip the baseball stadium.
7 The county shall have no obligation to issue bonds in an amount greater
8 than that which would be supported by the tax revenues under this
9 section, RCW 82.14.0485, and 36.38.010(4) (a) and (b). If the revenue
10 from the taxes imposed under the authority of this section exceeds the
11 amount needed for such principal and interest payments in any year, the
12 excess shall be used solely:

13 ~~((a))~~ (i) For early retirement of the bonds issued for the
14 baseball stadium; and

15 ~~((b))~~ (ii) If the revenue from the taxes imposed under this
16 section exceeds the amount needed for the purposes in (a)(i) of this
17 subsection in any year, the excess shall be placed in a contingency
18 fund which may only be used to pay unanticipated capital costs on the
19 baseball stadium, excluding any cost overruns on initial construction.

20 (b) After the bonds issued for the construction of the baseball
21 stadium are retired, the revenue from the taxes imposed under the
22 authority of this section must be applied as set forth in subsection
23 (6) of this section.

24 (4) The proceeds of any bonds issued for the baseball stadium shall
25 be provided to the district.

26 (5) As used in this section, "baseball stadium" means "baseball
27 stadium" as defined in RCW 82.14.0485.

28 ~~((The taxes imposed under this section shall expire when the~~
29 ~~bonds issued for the construction of the baseball stadium are retired,~~
30 ~~but not later than twenty years after the taxes are first collected))~~

31 (a) After the bonds issued for the construction of the baseball stadium
32 are retired, at the time the conditions in (b) of this subsection are
33 met, the largest city in the county shall retain the portion of the
34 taxes in subsections (1) and (2) of this section from sales within the
35 city.

36 (b) In order to retain the revenue in (a) of this subsection, on or
37 before August 18, 2013, the largest city in the county must have
38 entered into a binding and legally enforceable contractual commitment

1 with a prospective basketball lessee to (i) lease a multipurpose public
2 arena within the city and (ii) pay at least one hundred fifty million
3 dollars, in 2008 dollars adjusted for inflation annually using the
4 engineering news record twenty-city construction cost index, towards
5 the cost of the project to improve a multipurpose public arena within
6 the city.

7 (c) This subsection is only applicable until the time that bonds
8 are paid off for the purposes of (b) of this subsection.

9 (7) The following definitions apply to this section unless the
10 context clearly requires otherwise:

11 (a) "Prospective basketball lessee" means an entity that has a
12 legally binding option or agreement to purchase an existing or
13 expansion national basketball association franchise; and

14 (b) "Multipurpose public arena" means a multipurpose public arena
15 with a seating capacity of sixteen thousand or more that is located on
16 the grounds of a civic center and owned by a city or public
17 corporation."

SSB 6116 - S AMD

By Senator

18 On page 1, line 4 of the title, after "1975;" strike the remainder
19 of the title and insert "and amending RCW 82.14.360."

EFFECT: Allows Seattle to receive the portion of the King County food and beverage tax and the 2% rental car tax imposed within the city, if the city signs a lease with an NBA team prior to August 2013. The amendment also has the effect of providing the necessary language that would allow Seattle to receive a \$30 million payment, if they should not sign a lease with an NBA team by August 2013. All other provisions of the bill are removed.

--- END ---