

CHAPTER 8.16
LEASEHOLD EXCISE TAX

SECTIONS:

8.16.010	Creation
8.16.020	Definitions
8.16.030	Tax Imposed
8.16.040	Rate of Tax-Credits
8.16.050	Credit for Tax Imposed by City
8.16.060	Administration
8.16.070	Distribution
8.16.080	Exemptions
8.16.090	Inspection of Records
8.16.100	Contract for Collection of Tax

8.16.010 CREATION. This chapter is enacted pursuant to the authority set forth in Chapter 61, Laws of 1975-76, Second Extraordinary Session, hereinafter referred to as the **A**tate act[®] and in compliance with said state act. It is the intent of this chapter that the tax hereinafter imposed shall be as consistent and uniform with the tax imposed by the state act as possible and shall be imposed upon an individual taxable event simultaneously with the tax imposed by the state act upon the same taxable event. This chapter shall be interpreted and implemented in conformity with the state act as it now exists or is hereafter amended, and with the rules and regulations promulgated by the Department of Revenue of the State of Washington pursuant to the authority granted said Department by Section 16 of the state act.
[Ord. 113 (1976) § 1]

8.16.020 DEFINITIONS. As used in this chapter the meaning of the terms **A**easehold interest[®], **A**axable rent[®], **A**roduct lease[®], **A**enegotiated[®] and **A**ity[®] shall be as defined in the state act as it now exists or is hereafter amended.
[Ord. 113 (1976) § 2]

8.16.030 TAX IMPOSED. There is hereby levied and shall be collected a leasehold excise tax on and after January 1, 1976, upon the act or privilege of occupying or using publicly owned real or personal property situated within Benton County through a leasehold interest. Provided, however, that in the event that the cancellation of assessments or levies of property taxes for collection in calendar year 1976 as provided for in Section 17 of the state act is declared null and void, then the tax imposed by this section shall be levied and collected on and after January 1, 1977. The tax hereby imposed shall be paid, collected, and remitted to the Department of Revenue of the State of Washington at the time and in the manner prescribed by the state act.
[Ord. 113 (1976) 3]

8.16.040 RATE OF TAX-CREDITS. The rate of the tax imposed by Section 8.16.020 hereof shall be six (6) percent of the taxable rent. PROVIDED, That the following credits shall be allowed in determining the tax payable:

(a) With respect to a leasehold interest arising out of any lease or agreement, the terms of which were binding on the lessee prior to July 1, 1970, where such lease or agreement has not been renegotiated since that date, and excluding from such credit any lease or agreement including options to renew which extends beyond January 1, 1985, as follows:

With respect to taxes due in calendar year 1976, a credit equal to eighty (80) percent of the tax produced by the above rate.

With respect to taxes due in calendar year 1977, a credit equal to sixty (60) percent of the tax produced by the above rate.

With respect to taxes due in calendar year 1978, a credit equal to forty (40) percent of the tax produced by the above rate.

With respect to taxes due in calendar year 1979, a credit equal to twenty (20) percent of the tax produced by the above rate.

(b) With respect to a product lease, a credit of thirty-three (33) percent of the tax produced by the above rate.
[Ord. 113 (1976) § 4]

8.16.050 CREDIT FOR TAX IMPOSED BY CITY. There shall be allowed against the tax otherwise imposed by this chapter a credit for the full amount of any leasehold excise tax authorized by Section 4 of the state act and imposed upon the same taxable event by any city or town within Benton County.
[Ord. 113 (1976) § 5]

8.16.060 ADMINISTRATION. The administration and collection of the tax imposed by this chapter shall be in accordance with the provisions of the state act.
[Ord. 113 (1976) § 6]

8.16.070 DISTRIBUTION. All monies received by the county treasurer from the leasehold excise tax imposed by BCC 8.16.020 shall be distributed in accordance with the provisions of the state act as it now exists or is hereafter amended.
[Ord. 113 (1976) § 7]

8.16.080 EXEMPTIONS. Leasehold interests exempted by Section 13 of the state act as it now exists or may hereafter be amended shall be exempt from the tax imposed pursuant to BCC 8.16.030.
[Ord. 113 (1976) § 8]

8.16.090 INSPECTION OF RECORDS. The county hereby consents to the inspection of such records as are necessary, pursuant to RCW 82.32.330, to qualify the county for inspection of records of the Department of Revenue.
[Ord. 113 (1976) § 9]

8.16.100 CONTRACT FOR COLLECTION OF TAX. The Board of County Commissioners shall, prior to the effective date hereof, execute a contract with the Department of Revenue of the State of Washington for the administration and collection of the tax imposed by Section 8.16.030 hereof.
[Ord. 113 (1976) ▪ 10]