

RCW 82.60.070 Annual tax performance report by recipients—

Assessment of taxes, interest. (1) (a) Each recipient of a deferral of taxes granted under this chapter must file a complete annual tax performance report with the department under RCW 82.32.534. If the economic benefits of the deferral are passed to a lessee as provided in RCW 82.60.025, the lessee must file a complete annual tax performance report, and the applicant is not required to file a complete annual tax performance report.

(b) The department must use the information reported on the annual tax performance report required by this section to study the tax deferral program authorized under this chapter. The department must report to the legislature by December 1, 2018. The report must measure the effect of the program on job creation, the number of jobs created for residents of eligible areas, company growth, and such other factors as the department selects.

(2) Except as provided in RCW 82.60.063, if, on the basis of a tax performance report under RCW 82.32.534 or other information, the department finds that an investment project is not eligible for tax deferral under this chapter, the amount of deferred taxes outstanding for the project, according to the repayment schedule in RCW 82.60.060, is immediately due. For purposes of this subsection (2), the repayment schedule in RCW 82.60.060 is suspended during the period of time that a taxpayer is receiving relief from repayment of deferred taxes under RCW 82.60.063.

(3) A recipient who must repay deferred taxes under subsection (2) of this section because the department has found that an investment project is not eligible for tax deferral under this chapter is no longer required to file annual tax performance reports under RCW 82.32.534 beginning on the date an investment project is used for nonqualifying purposes.

(4) Notwithstanding any other provision of this section or RCW 82.32.534, deferred taxes on the following need not be repaid:

(a) Machinery and equipment, and sales of or charges made for labor and services, which at the time of purchase would have qualified for exemption under RCW 82.08.02565; and

(b) Machinery and equipment which at the time of first use would have qualified for exemption under RCW 82.12.02565. [2023 c 374 s 17; 2017 c 135 s 36; 2010 1st sp.s. c 16 s 9; 2010 c 114 s 139; 2004 c 25 s 7; 1999 c 164 s 303; 1995 1st sp.s. c 3 s 9; 1994 sp.s. c 1 s 5; 1985 c 232 s 6.]

Effective date—2017 c 135: See note following RCW 82.32.534.

Effective date—2010 1st sp.s. c 16: See note following RCW 82.60.010.

Application—Finding—Intent—2010 c 114: See notes following RCW 82.32.534.

Effective date—2004 c 25: See note following RCW 82.60.020.

Findings—Intent—Part headings and subheadings not law—Effective date—Severability—1999 c 164: See notes following RCW 43.160.010.

Savings—1999 c 164 ss 301-303, 305, 306, and 601-603: See note following RCW 82.60.020.

Findings—Effective date—1995 1st sp.s. c 3: See notes following RCW 82.08.02565.