

**RCW 82.46.037 Capital projects—Use of additional tax funds.**

(1) A city or county that meets the requirements of subsection (2) of this section may use the greater of \$100,000 or 35 percent of available funds from revenues collected under RCW 82.46.035 for the operation of, the maintenance of, and service support for, existing capital projects as included in the definition of capital project in RCW 82.46.035(4) and 82.46.010(6)(b).

(2) A city or county may use revenues pursuant to subsection (1) of this section if:

(a) The city or county has not enacted, after June 9, 2016, any requirement on the listing or sale of real property; or any requirement on landlords, at the time of executing a lease, to perform or provide physical improvements or modifications to real property or fixtures, except if necessary to address an immediate threat to health or safety;

(b) Any local requirement adopted by the city or county under (a) of this subsection is: Specifically authorized by RCW 35.80.030, 35A.11.020, chapter 7.48 RCW, or chapter 19.27 RCW; specifically authorized by other state or federal law; or a seller or landlord disclosure requirement pursuant to RCW 64.06.080. [2025 c 159 s 6; 2021 c 296 s 13; 2019 c 73 s 3; 2017 3rd sp.s. c 16 s 6; 2016 c 138 s 4; 2015 2nd sp.s. c 10 s 3.]

**Tax preference performance statement exemption—Automatic expiration date exemption—2025 c 159:** See note following RCW 82.45.010.

**Finding—Intent—Effective date—2021 c 296:** See notes following RCW 82.14.310.