

Local Government Partnership Meeting Western Washington May 29, 2019

8:30 – 9:00	Registration
9:00 – 9:10	Welcome Vikki Smith, Director
9:10 – 9:40	Economic & Revenue Forecast Council Steve Lerch, PhD., Executive Director & Chief Economist
9:40 – 10:00	Joint Legislative Audit and Review Committee Dana Lynn & Rachel Murata
10:00 - 10:20	Break Attendees are welcome to join Revenue employees in a celebration of Memorial Day
10:20 – 10:50	Local Tax Ashley Boss & Jessica Hicks, Taxpayer Account Administration managers
10:50 – 11:10	Marketplace Fairness Update Patti Wilson, Remote Seller Legislation Project Manager
11:10 – 11:40	2019 Legislation Miki Gearhart & Andre Unicume, Legislation and Policy specialists
11:40 – 12:00	Protecting Confidential Taxpayer Info Cliff Magness, Privacy Officer
12:00 – 12:15	Leasehold Excise Tax Andy Van Gerpen, Miscellaneous Tax manager
12:15 – 12:30	Business Licensing Service Partnership Update Eric Jones, Partnership Services

Washington State Economic Update

Presented to Local Government Partnership Meeting

Steve Lerch
Executive Director

May 29, 2019 Tumwater, Washington





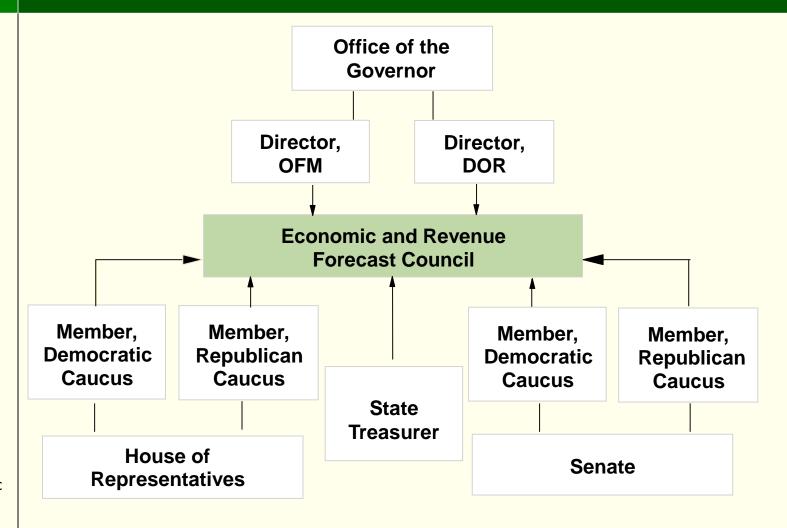
Economic and Revenue Forecast Council Organization Chart

ERFC

- Created in 1984 as part of Dept. of Revenue
- Became separate agency in 1990

WA State Economic Update

May 29, 2019 Slide 1





ERFC Forecast Process

The national economic forecast is based on a modified version of the IHS Markit model of the U.S. economy

National Economic Forecast Preliminary Washington State Economic Forecast Review by Work Group Review by Governor's Council of Economic Advisors & Economic and Revenue Forecast Council Final National and Washington Economic Forecast ERFC and Revenue-Generating Agencies Create Revenue Forecasts Review by Forecast Council Final Washington General Fund Revenue Forecast WASHINGTON STATE ECONOMIC AND REVENUE FORECAST COUNCIL

WA State Economic Update

May 29, 2019 Slide 2



Summary

- U.S., WA forecasts similar to the November forecast
- Baseline forecast has slowing growth but no recession
- Wage growth and inflation remain moderate
- Downside risks to the baseline include uncertainty regarding trade and fiscal policy, geopolitical concerns and a maturing economic expansion
- Potential impact of 737 MAX grounding adds a new downside risk
- The Near General Fund-State forecast is increased by \$307 million for the 2017-19 biennium and by \$554 million for 2019-21 biennium

WA State Economic Update

May 29, 2019 Slide 3



Selected forecast risks

Labor markets

- Unemployment rate, initial UI claims low
- Job growth dipped in February but bounced back

737 MAX

 Currently, impact on WA employment and personal income unclear

International trade policy

China – U.S. trade deal remains uncertain

WA State Economic Update

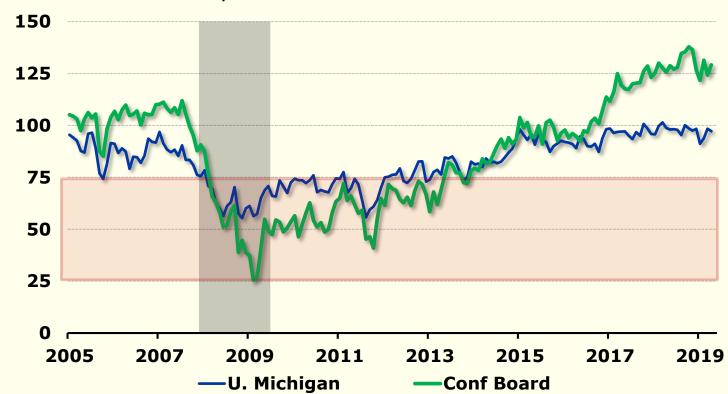
May 29, 2019 Slide 4



Consumer confidence dipped in late 2018 but has partially recovered, remains strong

Index

Mich: 1966Q1 = 100, SA Conf Board: 1985 = 100, SA

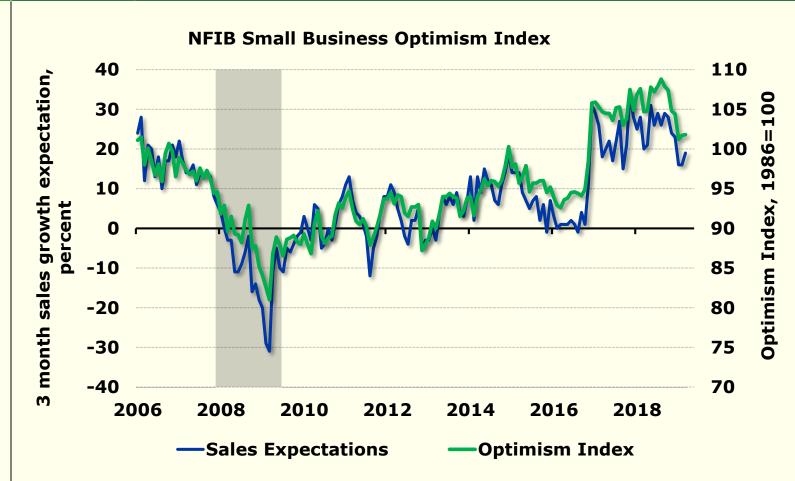


WA State Economic Update

May 29, 2019 Slide 5 Sources: University of Michigan, Conference Board; data through April 2019



Small business optimism has weakened recently but remains strong



WA State Economic Update

May 29, 2019 Slide 6 Source: National Federation of Independent Business; data through Mar. 2019



WA, U.S. unemployment rates are below pre-recession levels

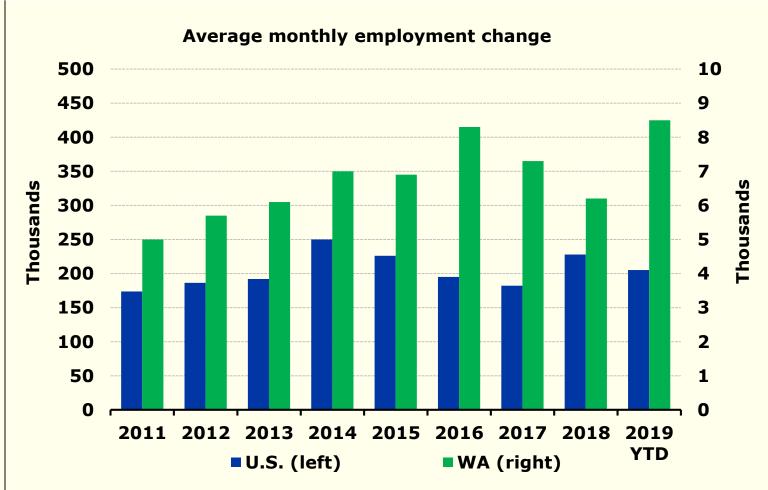


WA State Economic Update

May 29, 2019 Slide 7 Source: Bureau of Labor Statistics, Employment Security Dept.; WA data through Mar. 2019, U.S. data through Apr. 2019



U.S. job growth slowed in February but picked up in March and April



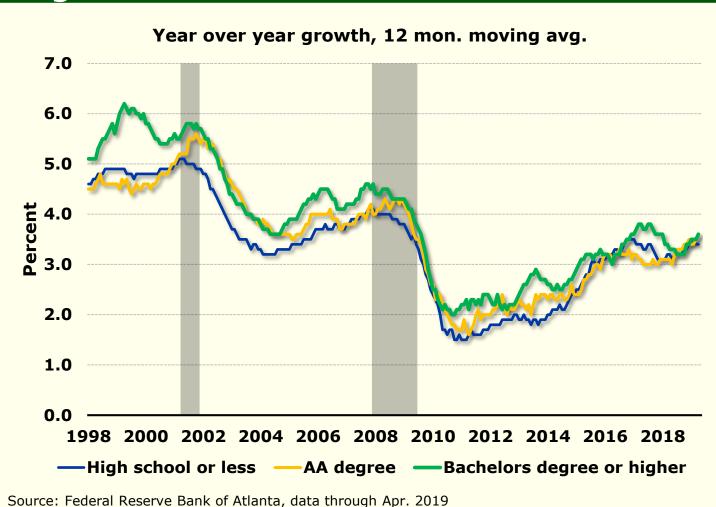
WA State Economic Update

May 29, 2019 Slide 8

Source: Bureau of Labor Statistics, Employment Security Dept.; WA data through Mar. 2019, U.S. data through Apr. 2019



Nominal wage growth has averaged 3.3% - 3.4% in last 12 months regardless of educational level



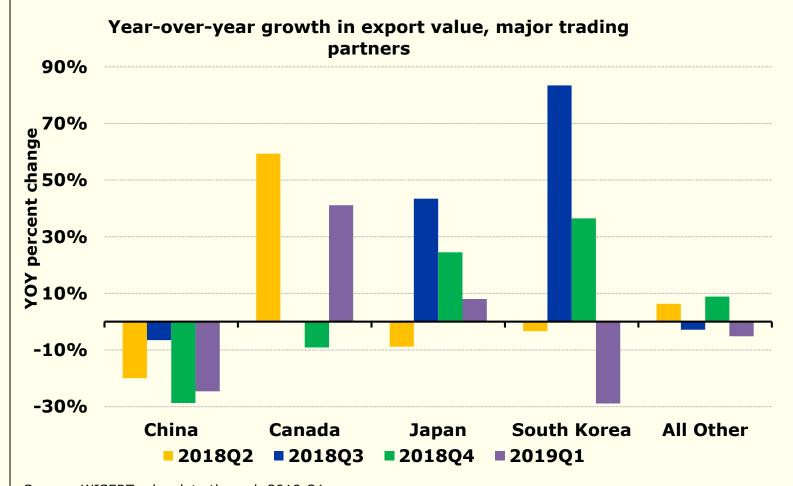
WA State Economic Update

May 29, 2019 Slide 9



Exports to China have declined for four consecutive quarters

On a yearover-year basis, WA exports declined in 2018 Q4 and 2019 Q1



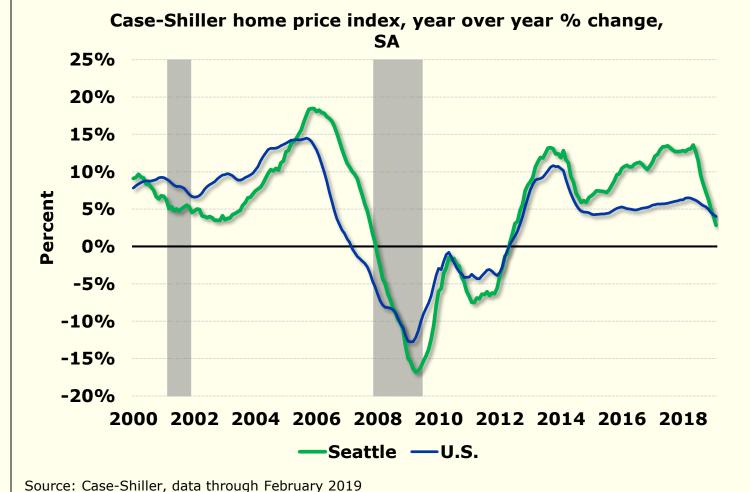
WA State Economic Update

May 29, 2019 Slide 10 Source: WISERTrade; data through 2019 Q1



Home price growth is slowing

The Case-Shiller index for Seattle grew more slowly than the U.S. index in the last two months.

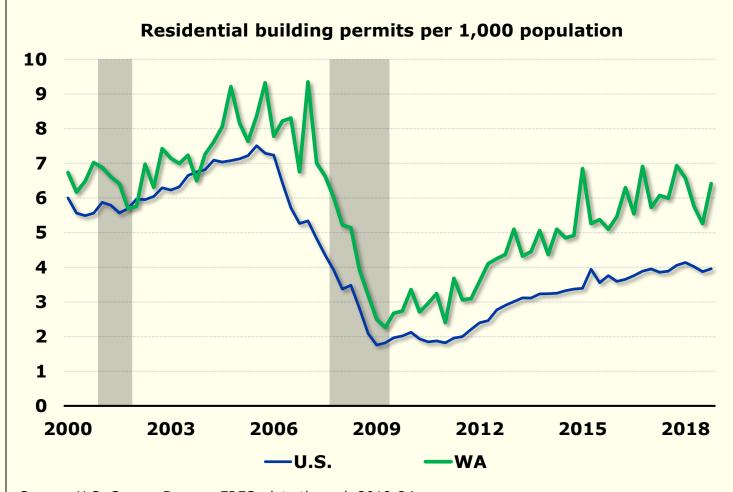


WA State Economic Update

May 29, 2019 Slide 11 -



Relative to population, WA residential construction activity is stronger than the U.S.

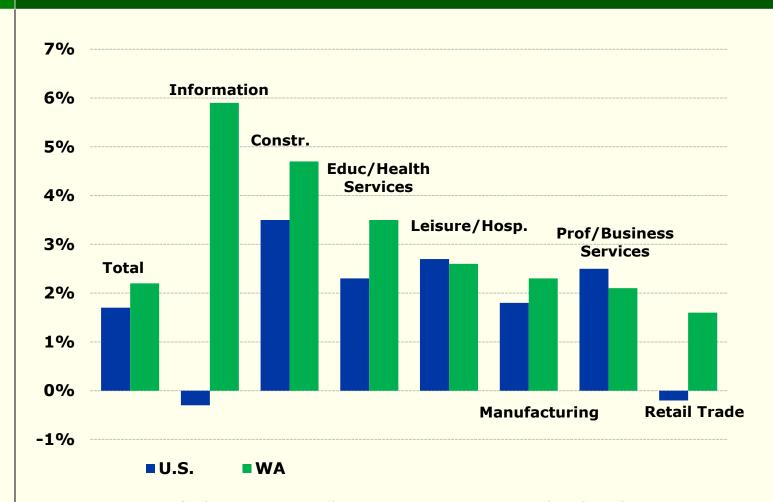


WA State Economic Update

May 29, 2019 Slide 12 Source: U.S. Census Bureau, ERFC; data through 2018 Q4



Washington vs U.S. employment growth: Mar. 2018 to Mar. 2019



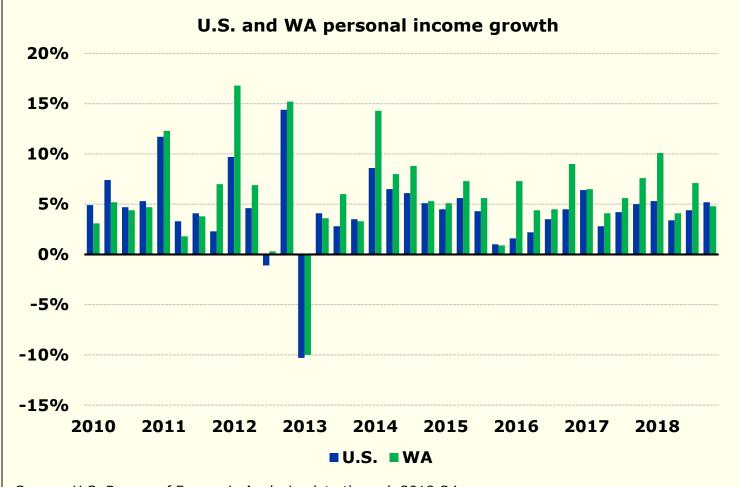
WA State Economic Update

May 29, 2019 Slide 13 Source: U.S. Bureau of Labor Statistics, Employment Security Dept., ERFC; data through Mar. 2019



WA personal income growth has outpaced the U.S. in 26 of last 36 quarters

WA personal income growth is expected to average 4.8% per year for 2019 - 2023

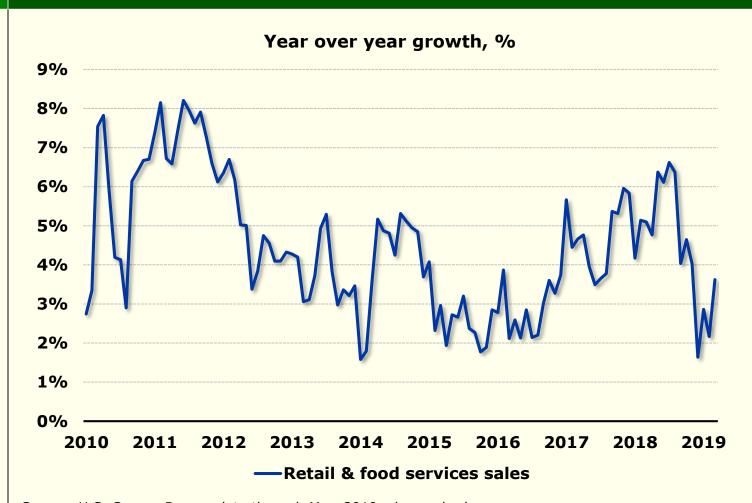


WA State Economic Update

May 29, 2019 Slide 14 Source: U.S. Bureau of Economic Analysis, data through 2018 Q4



U.S. retail sales growth slowed in last half of 2018, may be bouncing back



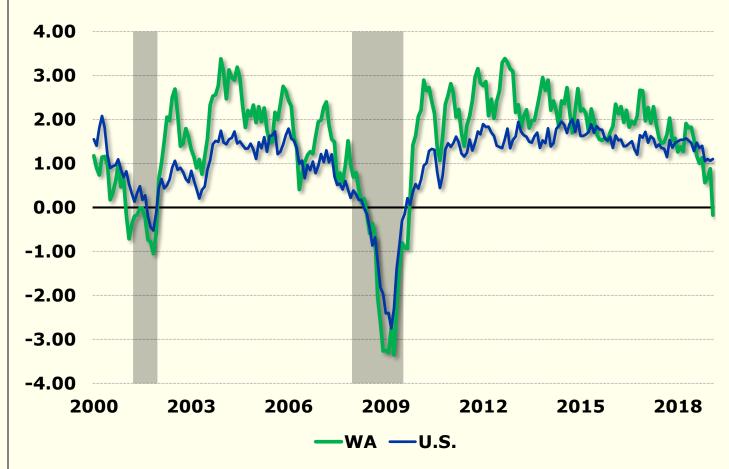
WA State Economic Update

May 29, 2019 Slide 15 Source: U.S. Census Bureau data through Mar. 2019 advanced release



Leading economic indexes for U.S. dipped recently but do not suggest a recession in near term

Besides WA, five other states had negative index values in February



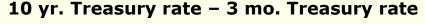
WA State Economic Update

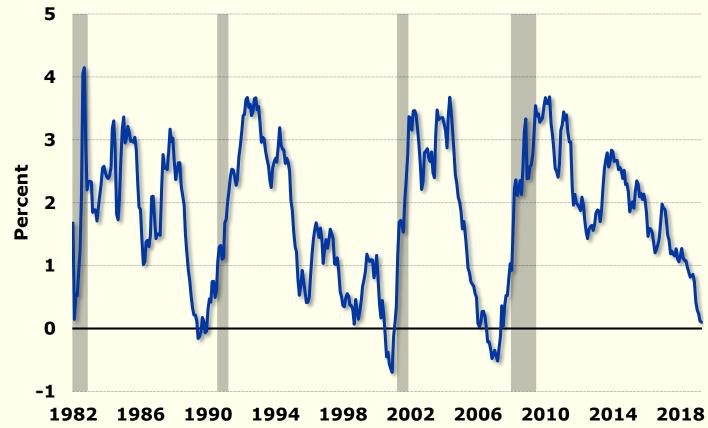
May 29, 2019 Slide 16 Source: Federal Reserve Bank of Philadelphia, data through Feb. 2019



An inverted yield curve (short-term interest rates > long-term rates) is a consistent recession predictor

Although not apparent with the monthly averages shown here, the yield curve inverted from Mar. 22nd until Mar. 28th



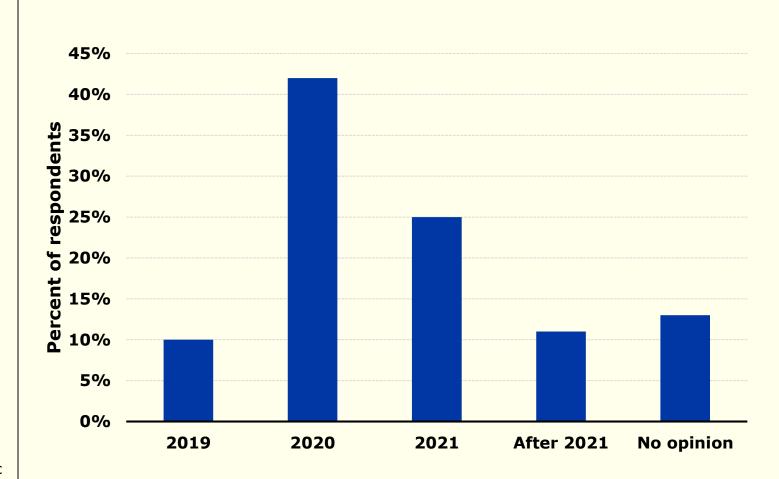


WA State Economic Update

May 29, 2019 Slide 17 Source: Federal Reserve Bank of St. Louis, monthly data through Apr. 2019



Timing of next recession: National Assoc. of Business Economists survey



WA State Economic Update

May 29, 2019 Slide 18 Source: National Association of Business Economists, Economic Policy Survey, Feb. 2019



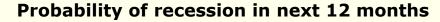
Wall Street Journal economists' survey shows recession probability rising but still relatively low

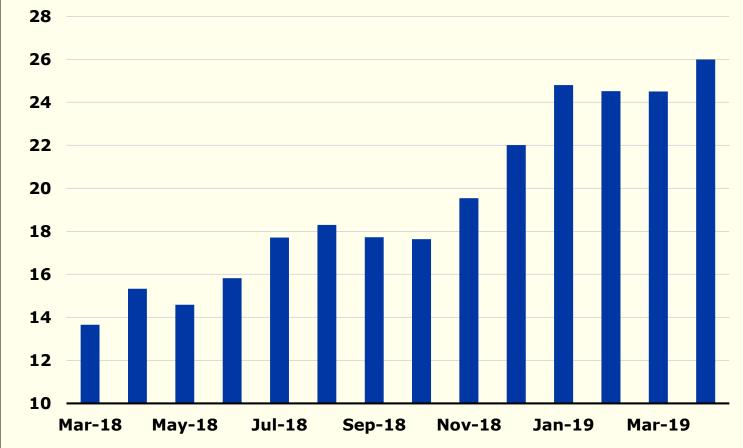
GCEA members (Mar. 2019):

Average probability of recession in next 12 months = 36%

WA State Economic Update

May 29, 2019 Slide 19



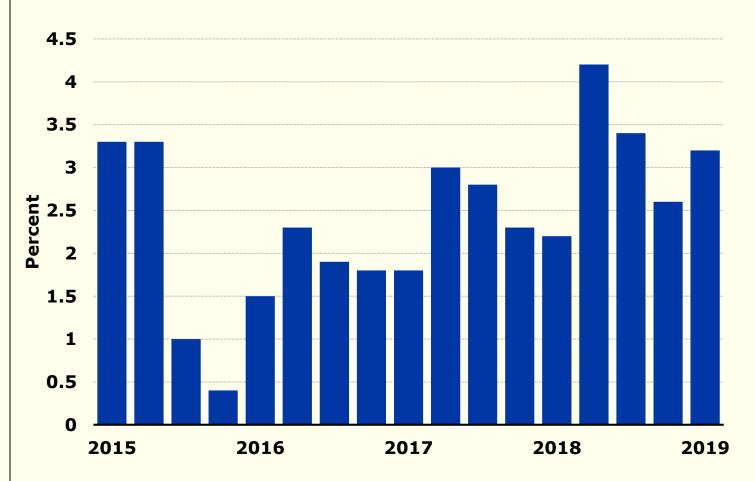


Source: Wall Street Journal economists' survey, data through Apr. 2019



U.S. real GDP growth slowed then picked up in 2019 Q1

First quarter 2019 growth due in part to inventory accumulation that is unlikely to be repeated in the second quarter.

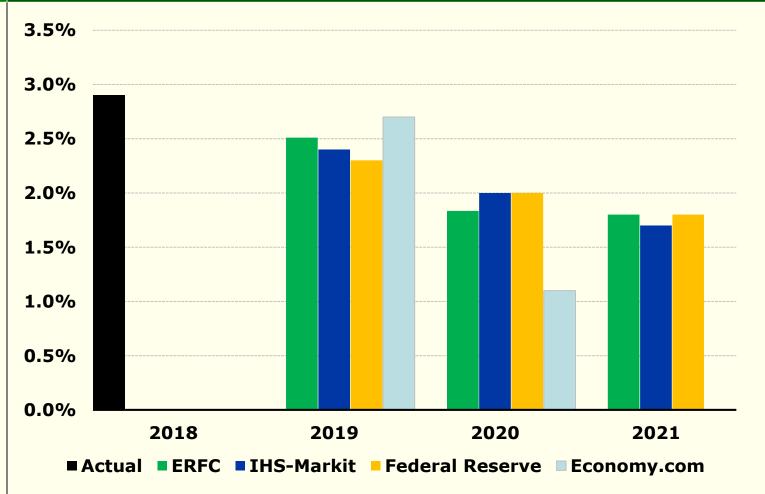


WA State Economic Update

May 29, 2019 Slide 20 Source: U.S. Bureau of Economic Analysis. Data through Q1 2019



Many forecasters expect U.S. economic growth is to slow further



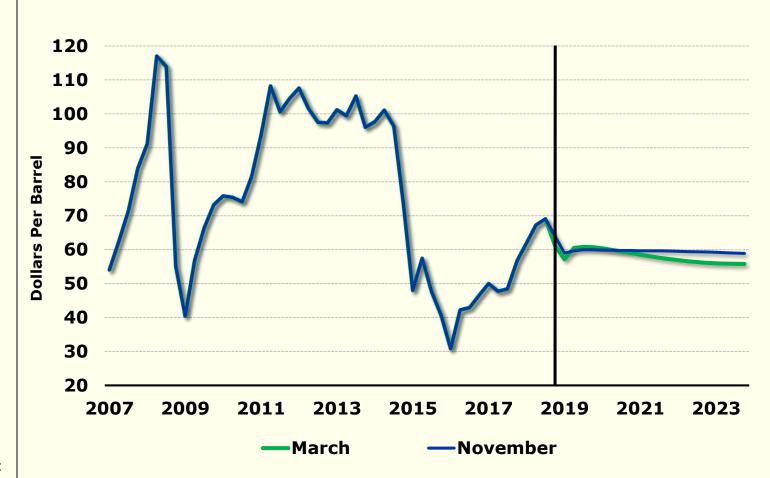
WA State Economic Update

May 29, 2019 Slide 21 Sources: U.S. Bureau of Economic Analysis, ERFC Mar. 2019 preliminary forecast, IHS-Markit, Federal Reserve Board, Economy.com

WASHINGTON STATE ECONOMIC AND REVENUE FORECAST COUNCIL



Oil prices are slightly lower than in the November forecast



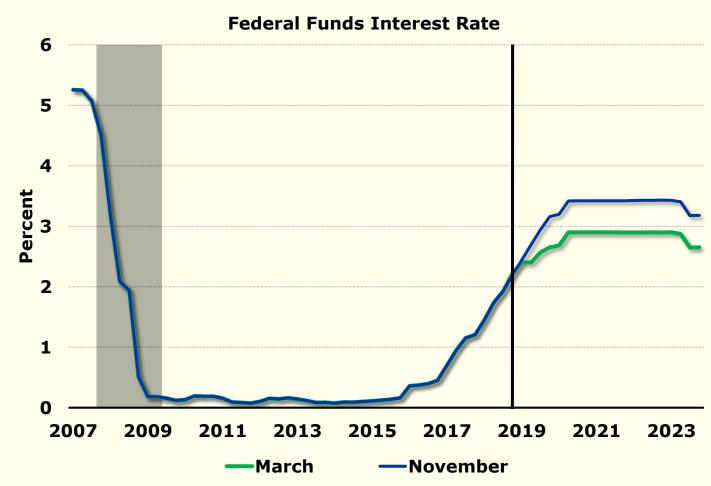
WA State Economic Update

May 29, 2019 Slide 22 Source: Energy Information Administration, IHS Markit, ERFC; data through Q4 2018

Note: Vertical black line indicates last actual



The Federal Reserve is not expected to raise interest rates as high as anticipated in November



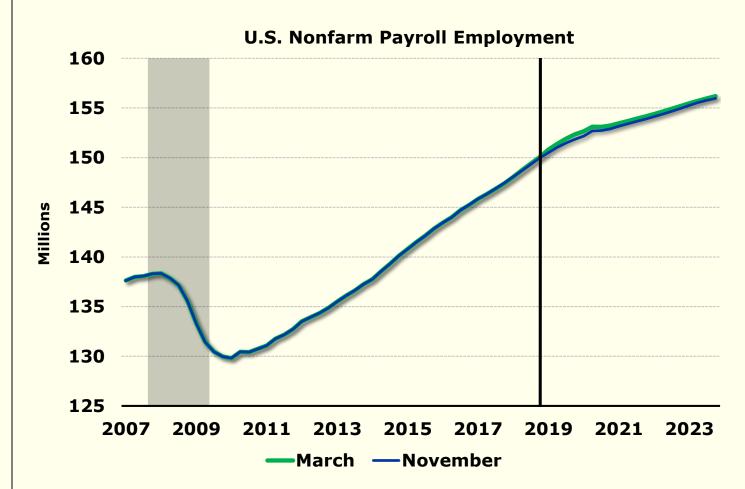
WA State Economic Update

May 29, 2019 Slide 23 Source: ERFC March 2019 Preliminary forecast; historical data through Q4 2018



U.S. nonfarm payroll employment growth is slightly higher than in November

By the end of 2023, employment is 0.1% higher than in the November forecast.



WA State Economic Update

May 29, 2019 Slide 24 Source: IHS Markit, ERFC; data through Q4 2018

Note: Vertical black line indicates last actual



Washington personal income is slightly lower than in November

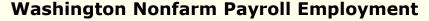


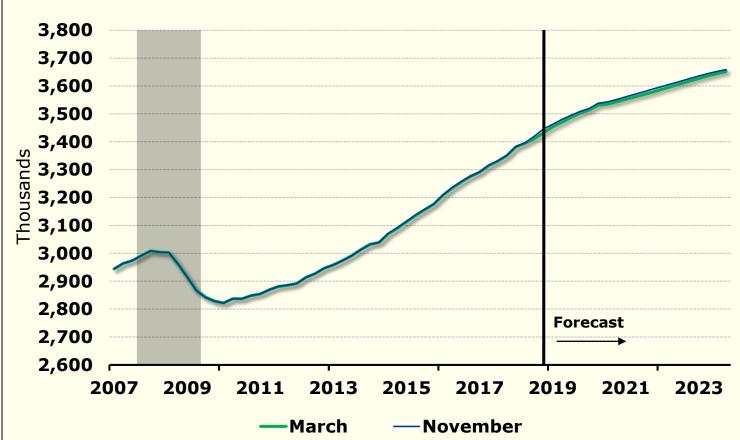
WA State Economic Update

May 29, 2019 Slide 25 Source: ERFC March 2019 forecast; historical data through 2017



Washington employment forecast is slightly lower than in November



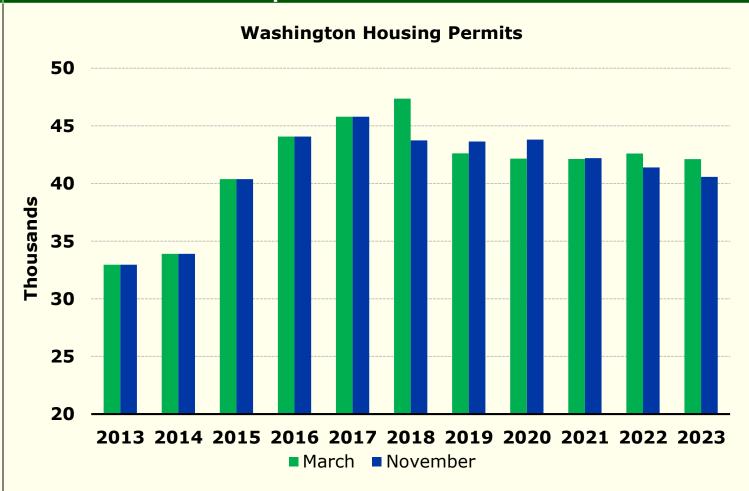


WA State Economic Update

May 29, 2019 Slide 26 Source: ERFC March 2019 forecast; historical data through Q4 2018



Permits forecast for 2019 – 2023: average unchanged, timing slightly different compared to November



WA State Economic Update

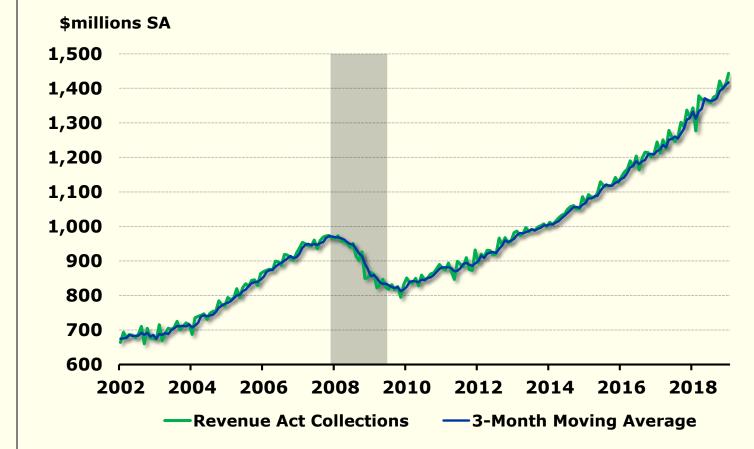
May 29, 2019 Slide 27 Source: ERFC March 2019 forecast; historical data through 2018



Revenue Act collections growth has been strong

Adjusted yearover-year collections growth (by quarter of activity):

2017Q4: 8.3% 2018Q1: 8.2% 2018Q2: 8.8% 2018Q3: 7.6% 2018Q4: 7.4%



WA State Economic Update

May 29, 2019 Slide 28 * Adjusted for large one-time transactions, amnesty payments and reporting frequency change, current definition of Revenue Act

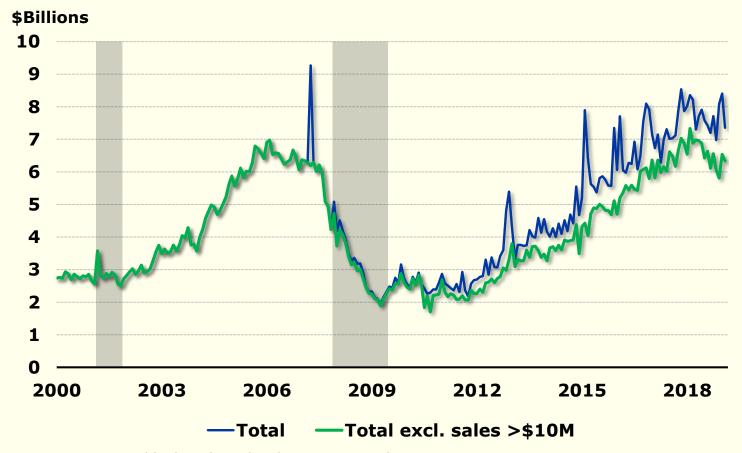
Source: DOR and ERFC; monthly data through January 2019 activity



Taxable REET activity declined in February but remained strong

There were \$1.0 billion in large commercial sales (>\$10 million) in February, down from \$1.87 billion in January.





WA State Economic Update

May 29, 2019 Slide 29 Source: ERFC; Monthly data through February 2019 preliminary



Assessed value on existing properties increased between November, March forecasts

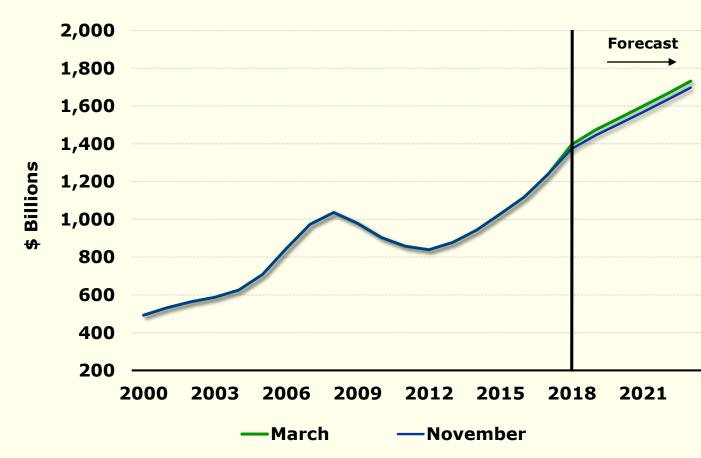
November forecast for growth in Market Value: 10.9%

Actual growth: 12.6%

Every 1.0 percentage point increase in Market Value growth adds between \$30-\$40 million in revenue per year

WA State Economic Update

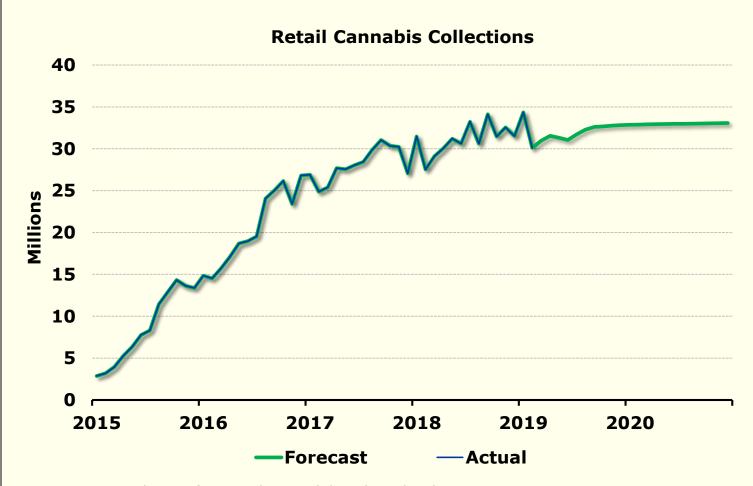
May 29, 2019 Slide 30



Source: ERFC March 2019 forecast; historical data through 2018



Cannabis revenue growth is expected to moderate

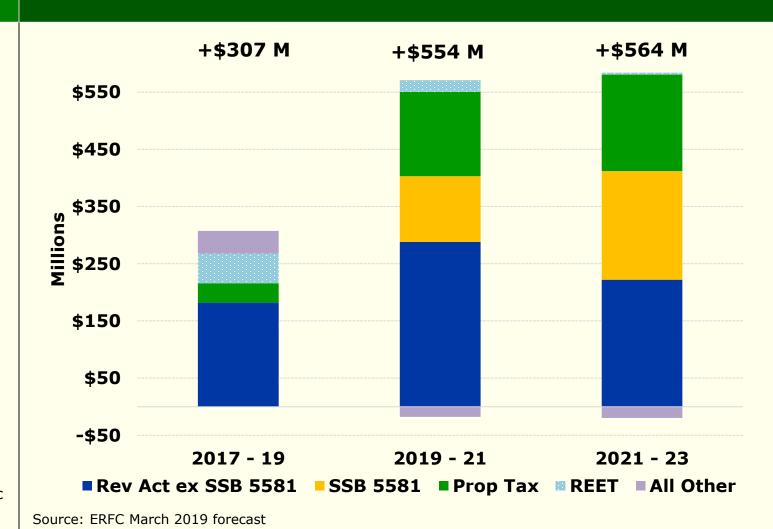


WA State Economic Update

May 29, 2019 Slide 31 Source: ERFC March 2019 forecast; historical data through February 2019



Near GF-S forecast changes by source



WA State Economic Update

May 29, 2019 Slide 32



Conclusion

- Economic forecasts are only slightly changed from November
- Washington's economy is continuing to outperform the nation but not as dramatically as in past
- Threats to economic expansion include concerns about international trade and fiscal policy, geopolitical risks and a maturing expansion
- GF-S revenues are expected to grow 15.3% between the 2015-17 and 2017-19 biennia and 12.3% between the 2017-19 and 2019-21 biennia
- The level of uncertainty in the baseline remains elevated, with downside risks outweighing upside risks

WA State Economic Update

May 29, 2019 Slide 33



Questions



WA State Economic Update

May 29, 2019 Slide 34



Working with others to answer Legislative questions (or what is JLARC and why should I care?)



JLARC: the Legislature's auditor

Answer Legislature's questions

Legislature sets policy, JLARC evaluates it

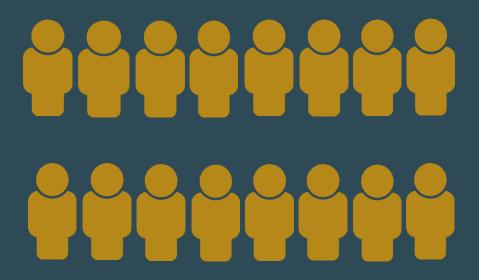
Performance audits since 1973

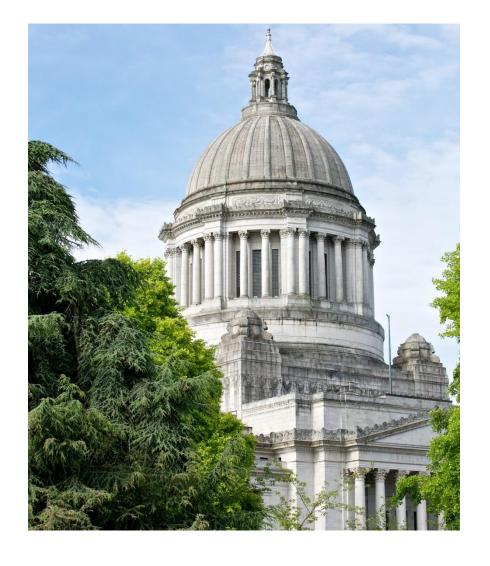
JLARC office and Legislative Auditor position established in statute Nonpartisan staff use professional audit standards

Evidence-based



Equal members from legislative branches and parties

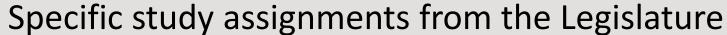




JLARC examines a variety of programs



Ongoing tax preference performance reviews





Ongoing data collection/reporting assignments

For each study, we look to partners that have

- Data and details
- Knowledge and expertise
- Local perspective

State agencies

City/county governments

Businesses

Nonprofits



Tax preference reviews

County treasurers & assessors

- 2019 Commuter Air Carriers (Property Tax)
- 2016 Data Center Equipment (Sales/Use Tax)
- Online data for property tax exemptions

Public utility districts

- 2017 Electricity for Electrolytic Processors (Public Utility Tax)
- 2014 Aluminum Smelter Power Purchases (Public Utility Tax)

Public facilities districts

2015 - Public
 Facilities Districts
 (Leasehold Excise
 Tax)

Multi-family property tax exemption

 2019 - Contacted city planners for city goals, execution detail; county assessors for data on exempt properties



Specific study assignments

Fees Assessed for Forest Fire Protection

- How assessments are done, whether any parcels are not taxed
- JLARC staff worked with assessors - built a 2 million parcel database to answer questions
- 2019 bill made process for locals to annex land

Local
Infrastructure
Financing Tool

- Effectiveness of the financing tool, status of projects
- How does it fit into overall financing?
- Currently working with cities, ports and counties

Public Records Training, Consultation and Grant programs

- Effectiveness of programs to help local governments manage records
- Work with local agencies that have used the services
- Are they meeting agencies' needs, and what changes are being implemented by users?



Ongoing data collection work

Legislature tasked JLARC with collecting and reporting – not analyzing

Lodging tax expenditures – 198 entities reported \$56 million in work

Public records information – agencies spending over \$100,000



Contact Us

Research Analysts

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Legislative Auditor

Keenan Konopaski 360.786.5187 keenan.konopaski@leg.wa.gov



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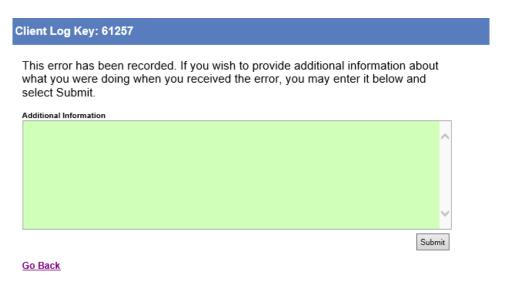
Partner Portal

Ashley Boss, Tax Administration Manager Jessica Hicks, Tax Administration Manager Taxpayer Account Administration May 2019



Access to the Partner Portal

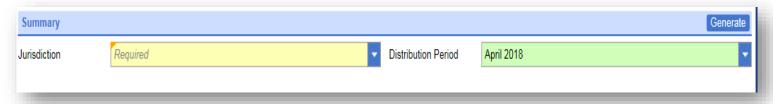
- How to request access to the Partner Portal
 - Confidentiality Affidavit
 - Inactivity Lockout

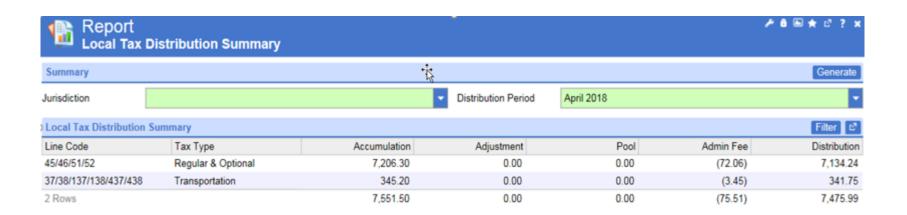




Local Tax Reports

Summary Report

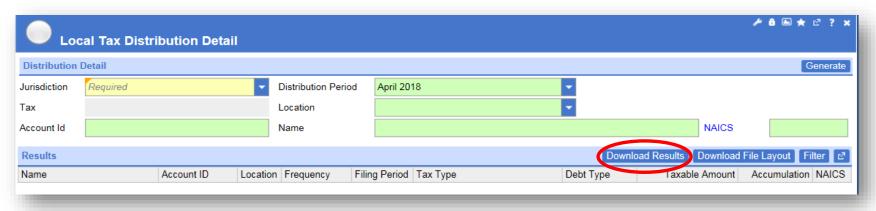




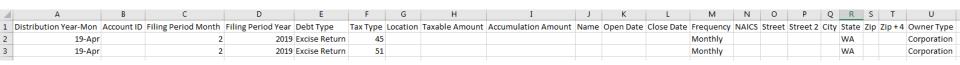


Distribution Detail

Detail Report



Results downloaded





Enhancements to the Reports

- Taxable amounts added
- Transient Rental detail report coming soon
- Email notifications regarding updates





Differences in Detail Reports

- Displays only what accumulates to your jurisdiction
 - Previous reports displayed city/county share
- Separate lines for Regular and Optional taxes
 - Previous reports combined into single line
- Detail reports available for most tax components



Research requests

- Account specific questions
- Portal access questions
- Contact us
 - 0 360-705-6179
 - Secure web message to Local Sales Tax topic



Resources

- Dor.wa.gov/localjurisdiction
 - Local Tax Reference Guide
 - Partner Portal access instructions
- Statistics and Reports



Questions?





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Marketplace Fairness Impacts

Patti Wilson May 29, 2019



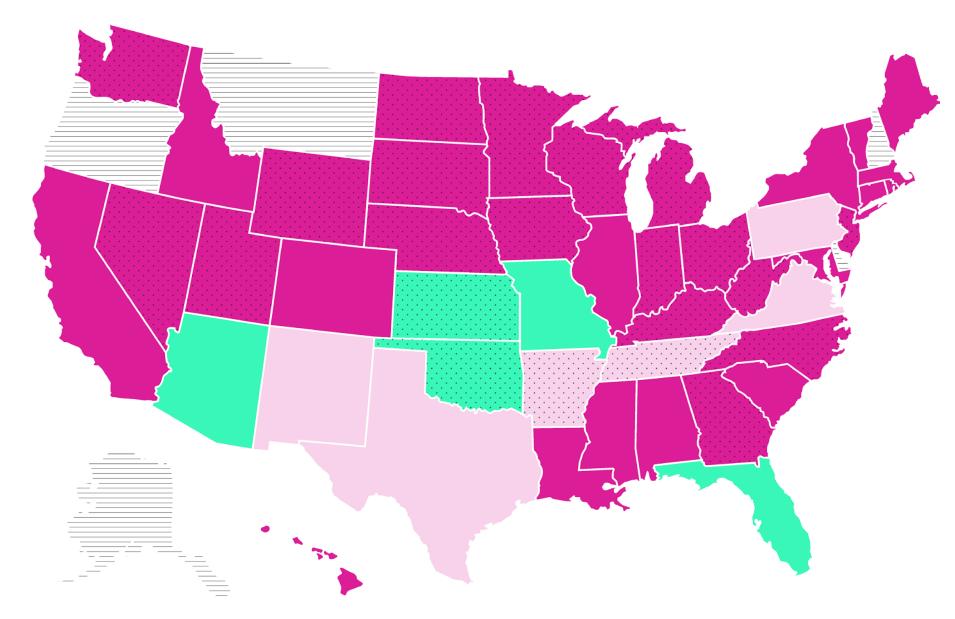
Threshold

- Effective October 1, 2018
- Remote sellers & facilitators
- Requires sales tax collection
- >\$100,000 or 200 transactions*

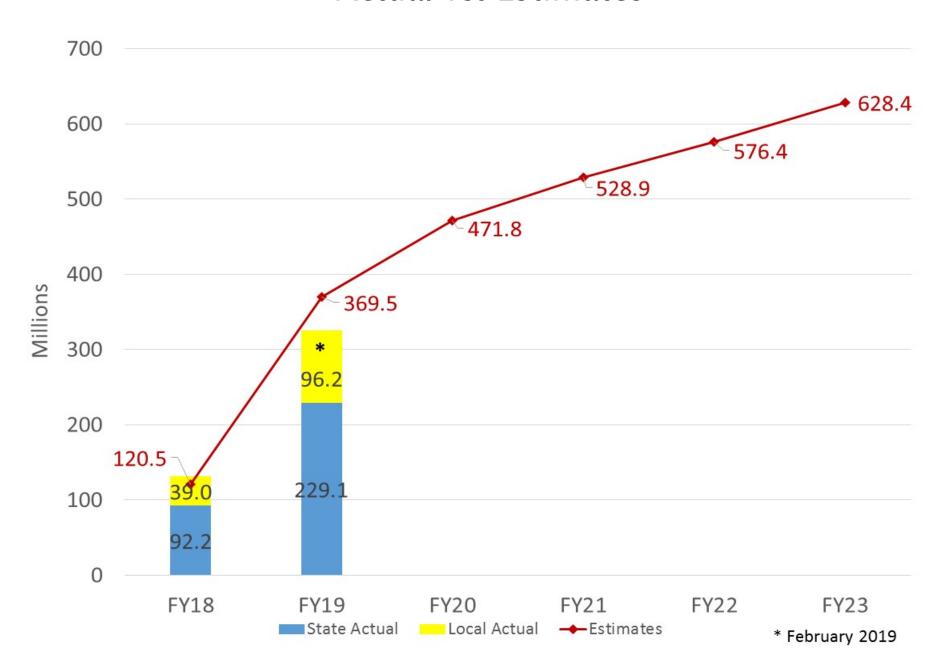
*200 transactions threshold eliminated on March 14, 2019 (SSB 5581)



Sales Tax Economic Nexus



Actual vs. Estimates





SSB 5581

- Codify
 - \$100,000/200 transactions thresholds
 - Effective date (10/1/18)
 - Prospective only
- Eliminate
 - 200 transactions
 - Import exemption
 - Election
 - o SSUTA sourcing mitigation "true-up" provision is repealed



Mitigation Payments as of March 2019

- Total mitigation payments to date: \$232.4 million
- 42nd mitigation payment since December 2008
- Fourth payment including Marketplace Fairness revenue gains
- Quarter one payments were \$1.99 million, compared to \$2.3 million in December 2018
- Fifteen local jurisdictions received a payment compared to the nineteen in December 2018



Mitigation Payments

Payment #	T	otal Payment	# of Receiving Jurisdictions	Top 5 Jurisdiction Payments	Top 5 Percentage of Total	Payment Date
42	\$	1,992,480.62	15	\$ 1,787,689.36	90%	03/2019
41	\$	2,304,670.72	19	\$ 1,991,372.98	86%	12/2018
40	\$	2,442,641.89	23	\$ 2,064,421.29	85%	09/2018
39*	\$	2,488,103.14	26	\$ 2,087,229.89	84%	06/2018
38	\$	3,543,825.82	51	\$ 2,460,949.23	69%	03/2018
37	\$	3,547,581.07	51	\$ 2,461,833.54	69%	12/2017
36**	\$	3,550,226.20	49	\$ 2,461,002.61	69%	09/2017

^{*}EHB 2163 revenue gains impact payments

^{**}Transportation authorities, RTAs and PTBAs no longer receive mitigation payments



On the Horizon

- Enforcement plan
- SSB 5581 implementation
- Consumer refund process



Questions?

Contact Info:

DORMarketplaceFairness@dor.wa.gov



"Working together to fund Washington's future"

2019 Excise Tax Legislation

Andre Unicume
Tax Policy Specialist



2SHB 1059

Extending the business and occupation tax return filing due date for annual filers.

HB 1301

Exempting certain leasehold interests in arenas with a seating capacity of more than two thousand from the leasehold excise tax.

SHB 1403

Simplifying the administration of municipal business and occupation tax apportionment.



SHB 1406

Encouraging investments in affordable and supportive housing.

SHB 1746

Incentivizing the development of commercial office space in cities in a county with a population of less than one million five hundred thousand.

SHB 1798

Concerning short-term rentals.



ESHB 1839

Requiring eligible arena projects to fully pay the state and local sales tax within ten years of commencing construction.

SSB 5025

Creating sales and use and excise tax exemptions for selfhelp housing development.

ESSB 5183

Concerning relocation assistance for manufactured/mobile home park tenants.



ESSB 5272

Increasing the maximum tax rate for the voter-approved local sales and use tax for emergency communication systems and facilities.

ESSB 5998

Establishing a graduated real estate excise tax.



Questions?





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2019 Property Tax Legislation

Miki Gearhart
Tax Policy Specialist



Bills Passed – Property Tax

E2SHB 1105

Protecting taxpayers from home foreclosure

HB 1107

Concerning nonprofit homeownership development

HB 1634

Requiring property sold in tax lien foreclosure proceedings to be sold as is



Bills Passed – Property Tax

SHB 1746

Incentivizing the development of commercial office space in cities in a county with a population of less than one million five hundred thousand

HB 1852

Concerning property tax refunds more than three years after the due date resulting from certain manifest errors



Bills Passed – Property Tax

SHB 2044

Concerning the deannexation of a portion of land from a park and recreation district or metropolitan park district

HB 2072

Authorizing county treasurers to contract with other treasurers for services

SSB 5010

Concerning protected lands not being assessed local fire district levies



Bills Passed – Property Tax

ESSB 5131

Regarding foreclosure and distraint sales of manufactured, mobile, or park model homes

SB 5132

Addressing noncollection of taxes by county treasurers

ESSB 5160

Concerning property tax exemptions for service-connected disabled veterans and senior citizens



Bills Passed – Property Tax

ESSB 5183

Concerning relocation assistance for manufactured/mobile home park tenants

SSB 5894

Clarifying that the firefighters' pension levy may continue to be levied to fund benefits under the law enforcement officers' and firefighters' retirement system



Questions?





Ten Things You Need to Know About Protecting Confidential Tax & Licensing Information



1. Most DOR information is confidential



2. Tax and Licensing Information is exempt under the Public Records Act.







Confidentiality Agreements are required.



Tax and License Secrecy Clause **Confidentiality Agreement**

This form must be completed and signed by individuals with access to Confidential Information in the custody and control of the Department of Revenue, and approved by the appropriate designated authority.

This form must be completed and signorman approved by the appropriation of the Department of Revenue, and approved by the appropriation of the Department of Revenue, and approved by the appropriation of the Department of Revenue, and approved by the appropriation of the Department of Revenue, and approved by the appropriation of the Department of Revenue, and approved by the appropriation of the Department of Revenue, and approved by the appropriation of the Department of Revenue, and approved by the appropriation of the Department of Revenue, and approved by the appropriation of the Department of Revenue, and approved by the appropriation of the Department of Revenue, and approved by the appropriation of the Department of Revenue, and approved by the approved by the approved by the approved by the Department of Revenue, and the Department o	Title:
Identification: Name:	Phone:
Employer:	Email:
Address:	
City, State, Zip:Confidential Information covered by this agreement includes:	

Scope: Department of Revenue Confidential Information covered by this agreement includes:

- Licensing information (RCW 19.02.115)
- Personally identifying information (RCW 42.56.590)

to the information (RCW 84 08 210, RCW 84.40.020, RCW 84.40.340)





6. Process for Confidentiality Agreement









8. Let us know if there's a breach.





9. Penalties for a breach of confidentiality are severe for individuals.





DOR Information Governance (360) 534-1624

Send an email to: DORDataSharing@dor.wa.gov



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Leasehold Excise Tax

Andy Van Gerpen, Program Coordinator



Topics for Discussion

- Overview of Leasehold Excise Tax (LET)
- Common Adjustments Found in Audits
- Changes Made to the Distribution Reports



LET Overview

- Tax on private use of public property.
- Paid in lieu of property tax.
- Tax on lessee.
- Total rate of 12.84%
 - o 6.84% State
 - o 6.00% Local
- Tax Code Area (TCA)



Exemptions

- Most common:
 - Taxable rent less than \$250
 - Leases for less than 30 days

- Other exemptions (20+ found in WAC 458-29A-400)
 - Student housing at public schools, colleges, or universities
 - Public facilities districts
 - Electronic vehicle battery charging stations



Common Adjustments Found in Audits

- Rent not at market value
- Imputing tax
- Unreported contract rent
- LET reported on exempt properties



Distribution Report Changes

- System change effective November 2018 (first report in December 2018)
- New delivery method
- New file format
- Issue with "Other" TCA codes



Questions?





"Working together to fund Washington's future"

Business Licensing Service (BLS) Local Partnership Update

Spring 2019



Agenda

- 2020 & 2021 partnership plan
- BLS Wizard update
- BLS application updates
- Q&A



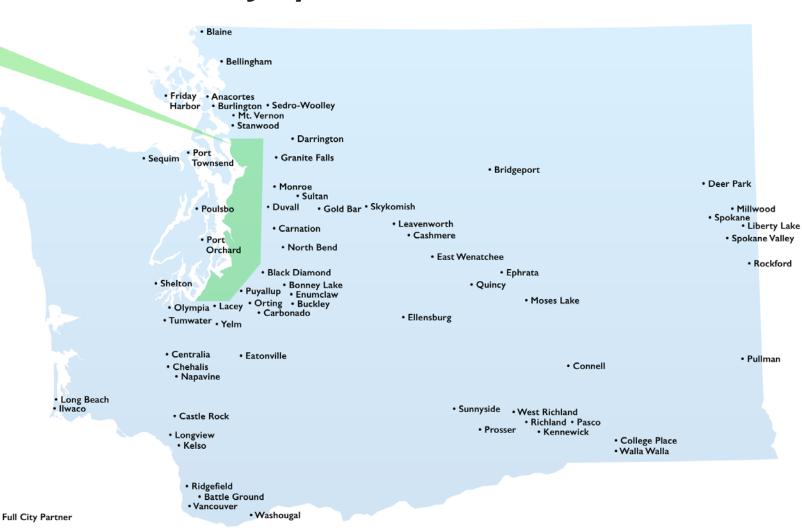


98 Partners as of July 2019

Snohomish County Edmonds Lake Stevens Marysville Mukilteo Snohomish

King County
Bainbridge Island
Clyde Hill
Covington
Issaquah
Kenmore
Kirkland
Maple Valley
Newcastle
Normandy Park
Sammamish
SeaTac
Tukwila
Woodinville

Pierce County
DuPont
Edgewood
Fife
Fircrest
Gig Harbor
Lakewood
Milton
Ruston
Sumner
University Place





8+ File Local cities

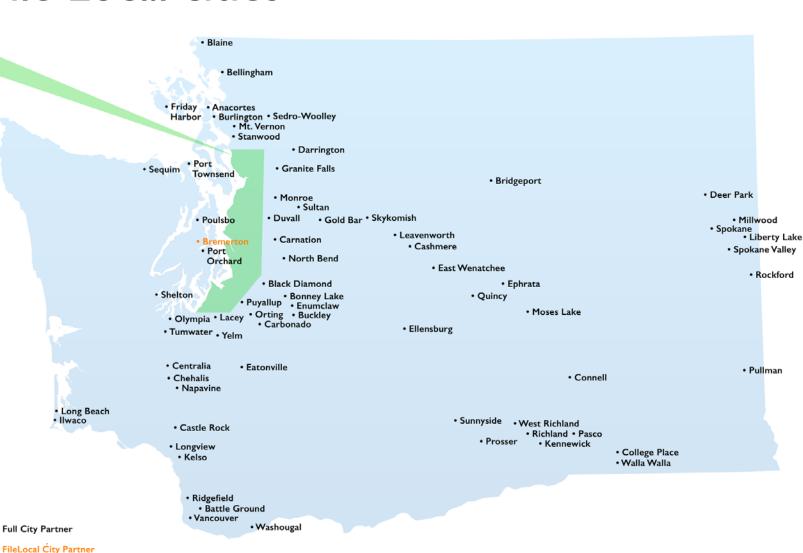
Snohomish County
Edmonds
Lake Stevens
Marysville
Mukilteo
Snohomish
Everett

King County Bainbridge Island Clyde Hill Covington Issaquah Kenmore Kirkland Maple Valley Newcastle Normandy Park Sammamish SeaTac Tukwila Woodinville Bellevue Lake Forest Park Renton

Seattle

Shoreline

Pierce County
DuPont
Edgewood
Fife
Fircrest
Gig Harbor
Lakewood
Milton
Ruston
Sumner
University Place





50+ cities set to join by 2021

Snohomish County
Edmonds
Lake Stevens
Marysville
Mukilteo
Snohomish
Everett
Brier
Mill Creek
Woodway

King County Bainbridge Island Clyde Hill Covington Issaquah Kenmore Kirkland Maple Valley Newcastle Normandy Park Sammamish SeaTac Tukwila Woodinville Bellevue Lake Forest Park Renton Seattle **Shoreline**

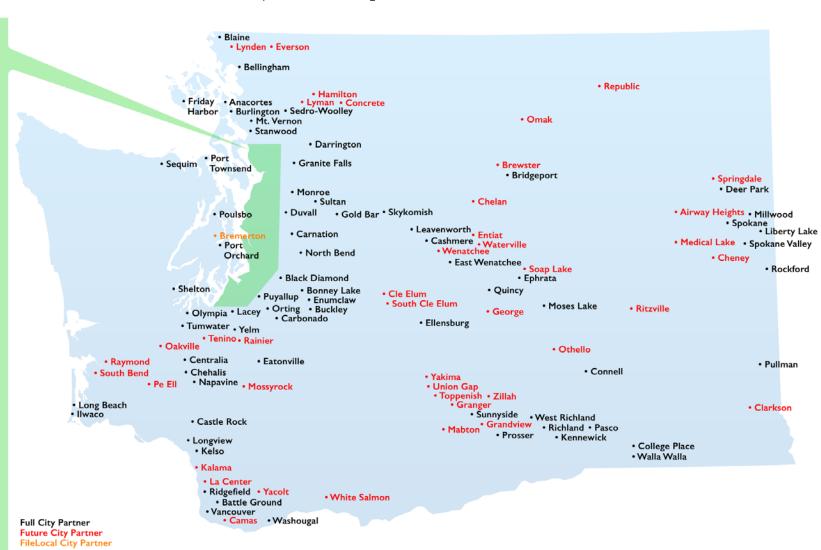
Federal Way

Mercer Island

Mountlake Terrace

Lynnwood

Pierce County
DuPont
Edgewood
Fife
Fircrest
Gig Harbor
Lakewood
Milton
Ruston
Sumner
University Place
Tacoma
Roy
Steilacoom





80 cities to decide by 2022



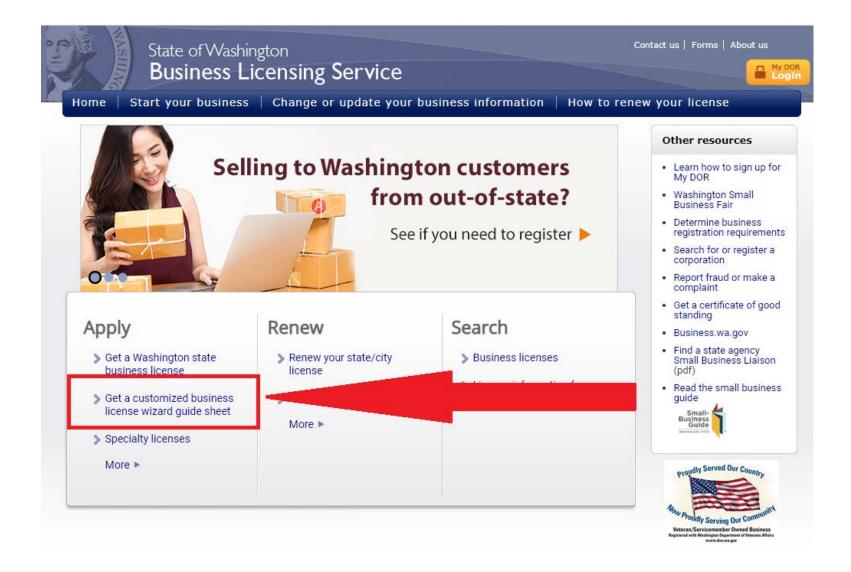


New online application June 17





Business License Wizard



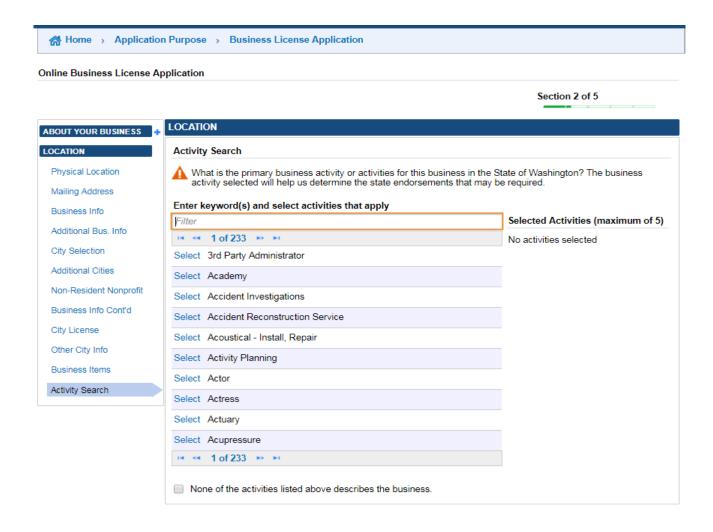


Better user experience

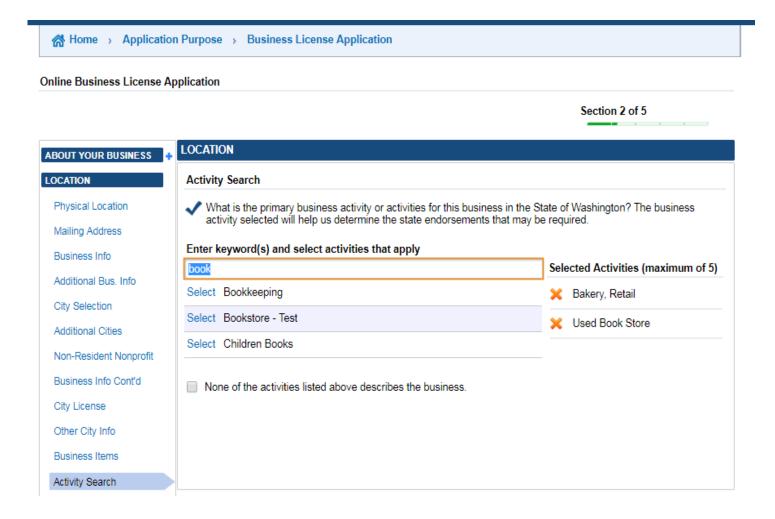
- Feedback & usability drove improvements
- Less content on each screen
- Updated screen titles & progress bar
- One click to add a city license
- Simplified activity & license type choices
- Easy-to-read summary page



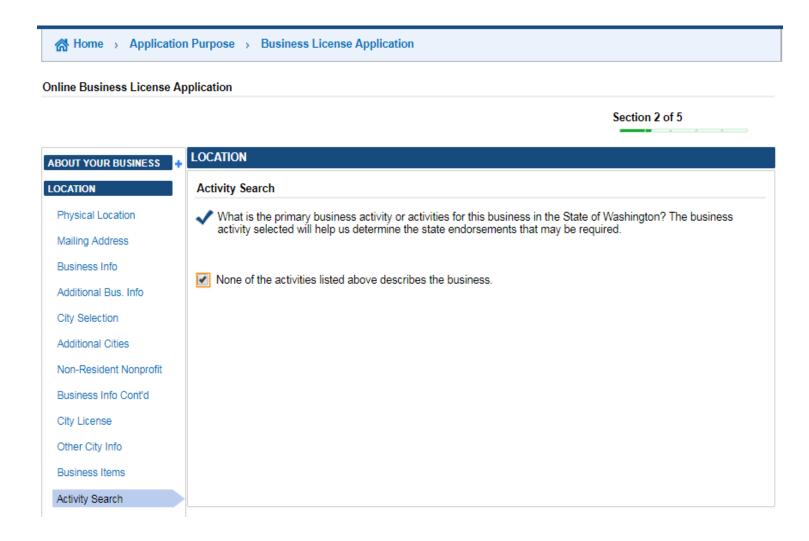
Activity selection



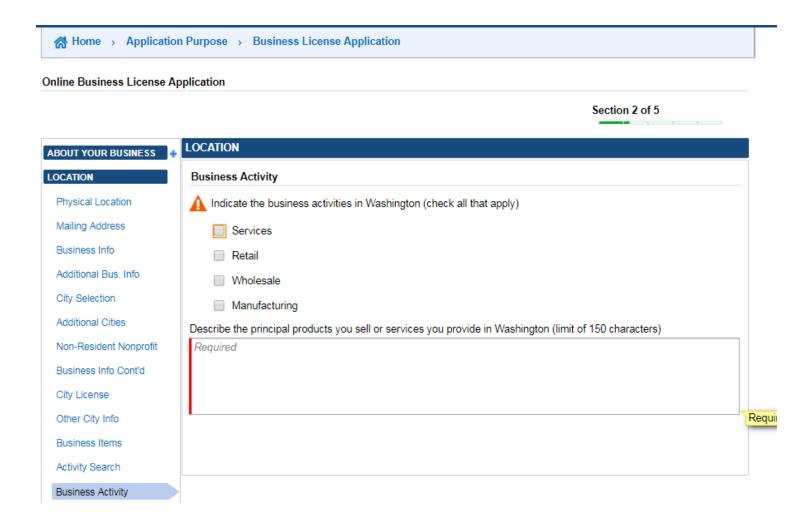




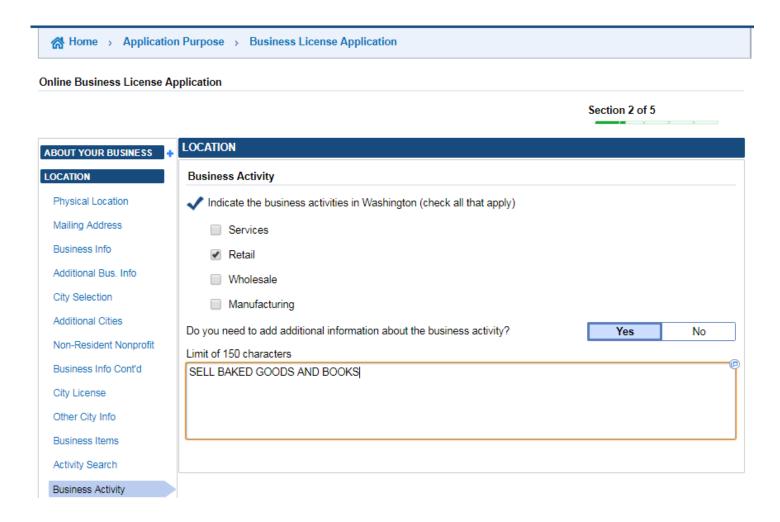






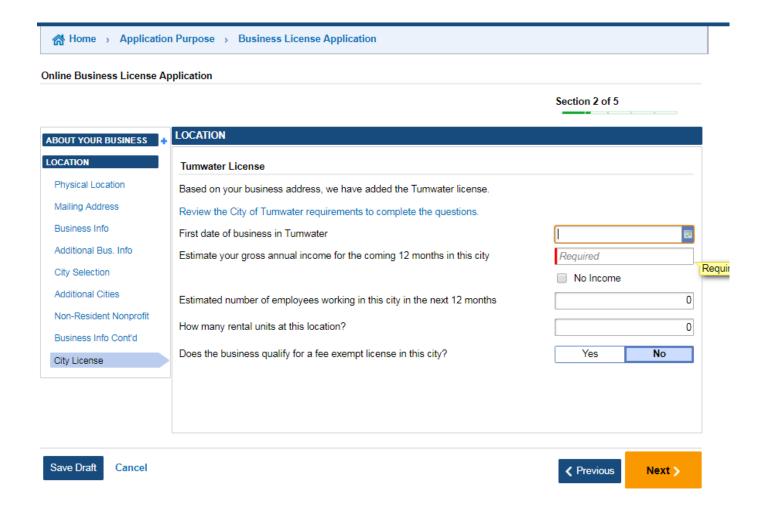






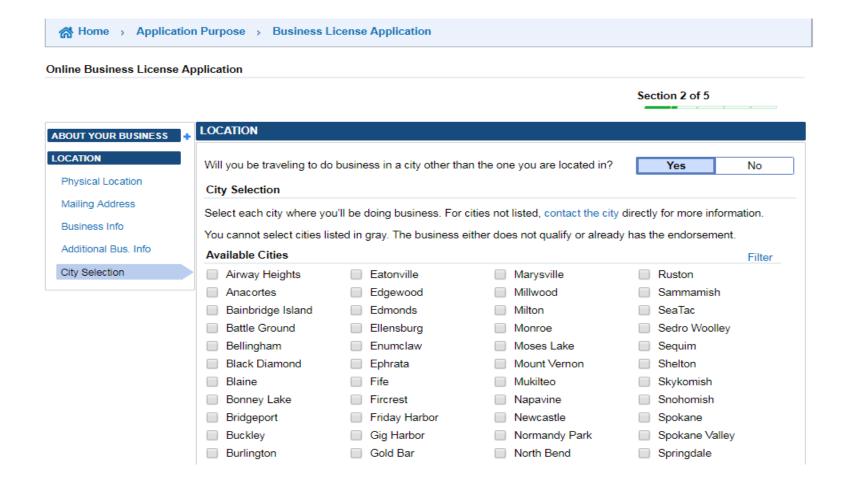


Resident city



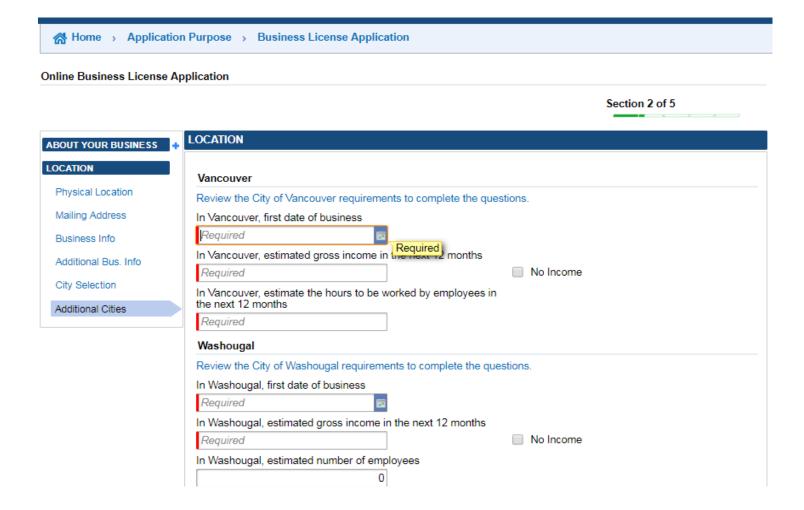


Non-resident cities



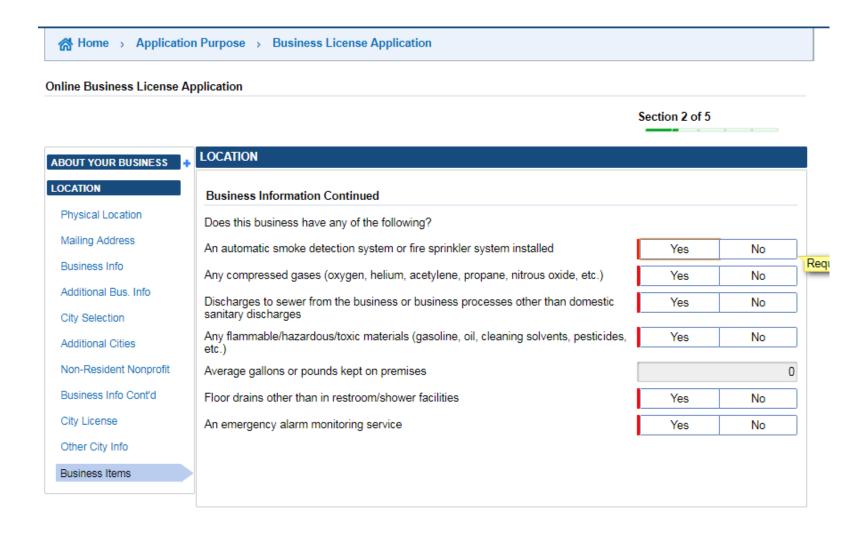


Non-resident cities, continued



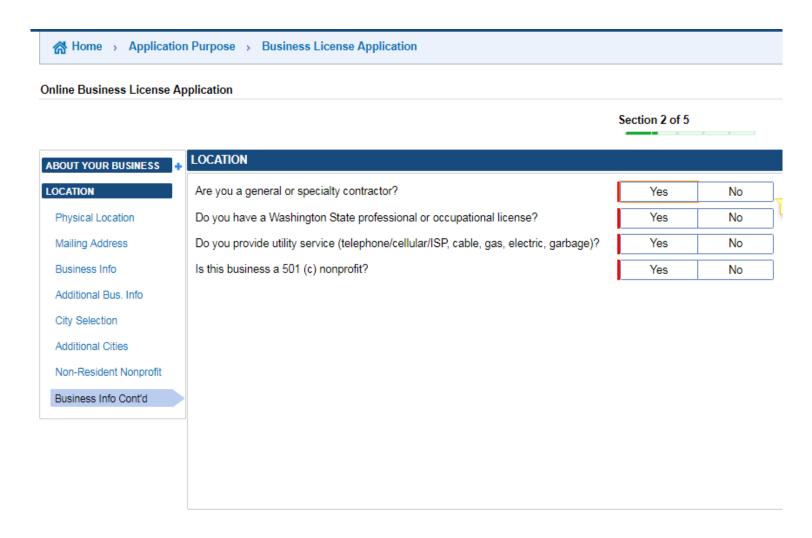


Required fields for city addendum



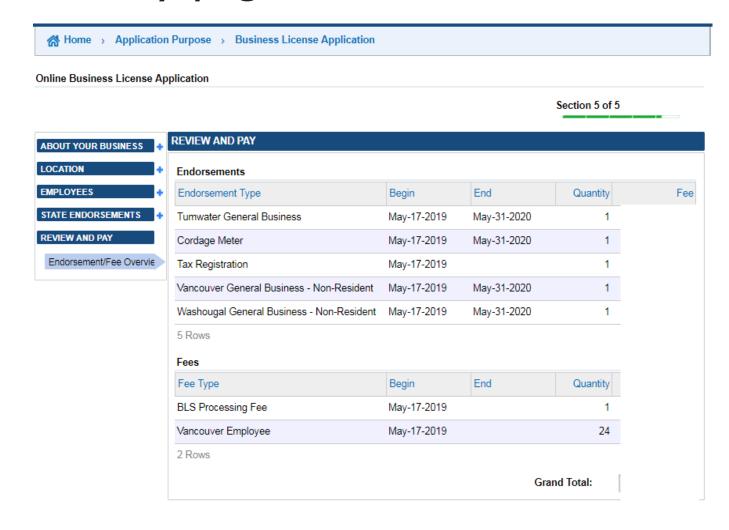


Updated selection screens





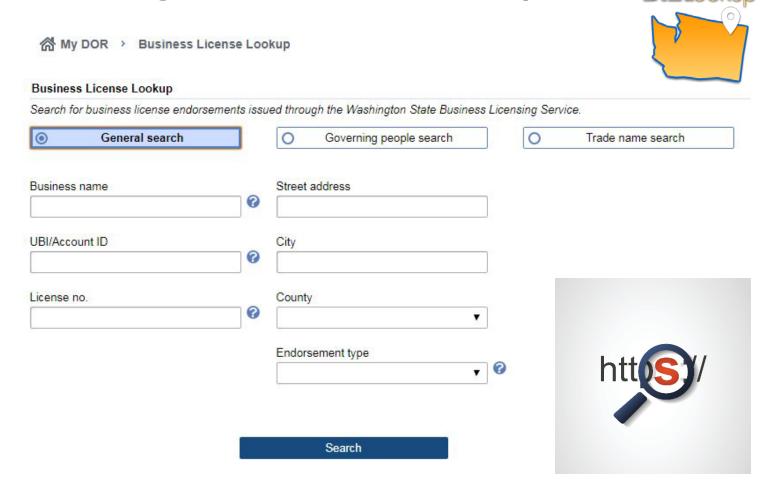
Summary page





Washington State

dor.wa.gov/BusinessLookup





Citypartners.dor.wa.gov

Home / Doing business / Business Licensing Service (BLS) and local licensing



Business Licensing Service (BLS) and local licensing

Make business licensing easier for your local business community

Did you know more than 90 percent of businesses apply for and renew their licenses online?

BLS offers a "one-stop" local licensing solution to relieve the workload of license renewals. We serve 90+ cities with more joining BLS each year.

Partnership with BLS supports your city staff and business community by removing roadblocks. This saves your local businesses time when they apply for and renew city and state licenses. Your staff, meanwhile, get fast turnaround, detailed reporting, and increased compliance – with no added cost.

Our revenues increased 15 percent in the first year. With BLS, we are able to identify our businesses and their employees more easily.

~ Carrie Lewellen, Treasurer, City of Vancouver

More information

BLS brochure (pdf)

Map of BLS Cities

Local Business Licensing Progress Report, Dec. 2018 (pdf)

FY 2019 City Partner Plan

Onboarding timeline (pdf)

Secrecy Clause (pdf)

Standard reports list (pdf)

Sample BLS-City contract (pdf)

FAQ (pdf)



BLS Support

- Business Licensing Call Center
 - o 800.451.7985 & bls@dor.wa.gov
- Specialty Licensing
 - 360.705.6744 & faxbls@dor.wa.gov
- 12 offices statewide
 - o dor.wa.gov & bls.dor.wa.gov
- BLS Partnership Services Katie Early, Manager





Contact

BLS Partnership Services (360) 705-6777 dorblspartner@dor.wa.gov





Questions?





Randy Rittenhouse, Revenue Auditor



"Working together to fund Washington's future"

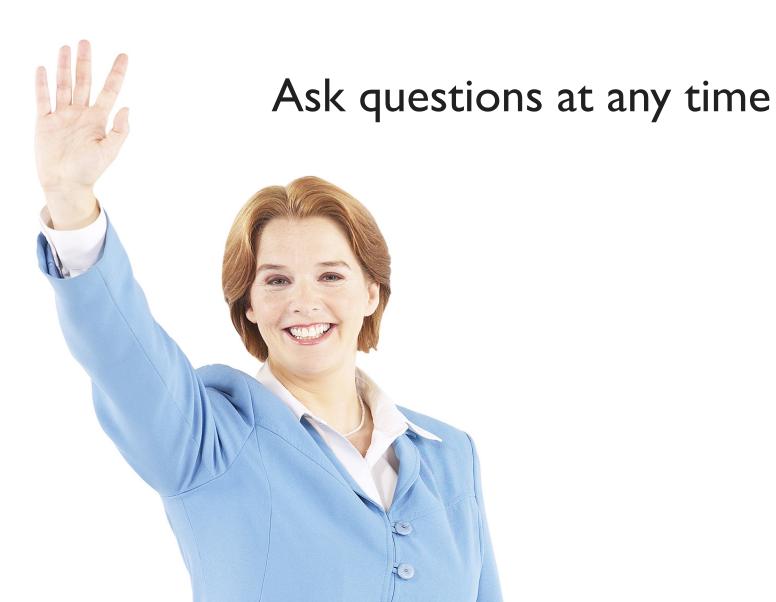




Today's Topics

- B&O Tax Overview
 - Retailing; Wholesaling; and Service and Other
- Common Deductions
- Retail Sales Tax
- Enterprise Activities vs. Non-Enterprise Activities
- Public Utility Tax
- Use Tax







Overview of B&O Tax

- Tax for act of engaging in business
- Measured by gross income or gross proceeds of sales
- 30 classifications; some lines have multiple classifications
- 12 different tax rates (from .138% to 1.63%)



Retailing B&O

Includes all sales to consumers of goods and retail services

- Examples of retail sales:
 - ✓ Custom construction/repair
 - √ Charges for Public Pool Use
 - ✓ Certain Amusement and Rec Fees
 - Casual Sales are B&O tax exempt
 - ✓ Sale of unclaimed property by police dept.
 - √ Sale of surplus equipment
 - Although B&O tax exempt, no comparable exemption for sales tax



Wholesaling



- For reporting sales of products or labor to persons who resell the same without intervening use
- Obtain the purchasers resellers permit

STATE OF MASHINICTON

RESELLER PERMIT

Washington State Department of Revenue

PO Box 47476 • Olympia, WA 98504-7476 • 1-800-647-7706

Issued to:

600 600 600 John Doe John Doe Inc.

1234 Nowhere Rd Anywhere, WA 99999 Permit Number: A14 8694 13

Effective Date: 01-01-2010 **Expiration Date:** 12-31-2013

Business Activity:

Miscellaneous Wholesale

This permit can be used to purchase:

- · Merchandise and inventory for resale without intervening use
- Ingredients, components, or chemicals used in processing new articles of tangible personal property produced for sale
- Feed, seed, seedlings, fertilizer, and spray materials by a farmer
- · Materials and contract labor for retail/wholesale construction
- Items for dual purposes (see Purchases for Dual Purposes on back)

This permit cannot be used to purchase:

- · Items for personal or household use
- Items used in your business that are not resold, such as office supplies and equipment
- · Promotional items or gifts
- · Tools, equipment, or equipment rentals
- Materials and contract labor for public road construction or U.S. government contracting (see Definitions on back)
- · Materials and contract labor for speculative building

The business named on this permit acknowledges:

- · It is solely responsible for all purchases made under this permit
- · Misuse of the permit:
 - Subjects the business to a penalty of 50 percent of the tax due, in addition to the tax, interest, and penalties imposed (RCW 82.32.291)
 - May result in this permit being revoked

Notes (optional):		
	3-4	

Important: The Department of Revenue may use information from sellers to verify all purchases made with this permit were qualified.

Cindi Holmstrom

Director, Department of Revenue



Service & Other Activities

For the revenues of taxpayers that provide personal and professional services not otherwise classified

- Cemetery plot sales, internment fees
- Solid Waste Collection
- Also subject to Solid Waste Collection Tax
- Sewer (interception, transfer, storage, treatment and disposal of sewage)
- Storm Drain Fees
- Services prior to receiving service new customers



Common Activities Subject to Service Other B&O Tax

- User fees for lockers
- Moorage/License to use RE less than 30 days
- Pre-Utility Charges (Connection Charges)
 - Activities performed for customers prior to sale of a public utility service are considered a "new customer"
 - √ Line Extensions
 - √ Connection fees,
 - √ Pole contact charges
 - ✓ Testing
 - √ Load factor charges
 - √ Meter reading fees



New Customer Defined

- A "new customer" is a customer who previously has not received utility services, such as water, gas, electricity, at the location where the charge for a specific service was provided.
- For example, a customer of a water supplier who currently receives water at a residence constructs a new residence a short distance from the first location. This customer will be considered a "new customer" with respect to any charges for services performed at the new location until the customer actually receives water at the new location, even though this customer may be receiving services at a different location.



B&O Tax Deductions

Income should be reported then deducted on the tax return

Examples:

- Bad debts
- Cash and trade discounts
- Casual sales
- Tax in gross



Service Other Exemptions/Deductions

- RCW 82.04.4297 provides deduction for governmental grants received for rendering health & social welfare services
- RCW 82.04.4291 provides deduction for income received by a local government for rendering services taxable under the service other classification to other local governments
- RCW 82.04.432 allows municipal sewer utilities to deduct payments to other cities or governmental agencies for interception, treatment or disposal of sewage



B&O Tax Exemptions

Exempt income does not have to be reported

Examples:

- Certain fundraising activities for nonprofit and social services organizations
- Sales or rental of real estate (more than 30 days)
- Purely Governmental Activities provided by a Fire District – other than a utility or enterprise activity (82.04.419)





Retail Sales Tax

- Tax on the consumer
- Tax on sale, rental, repair, or installation of tangible personal property (includes labor)

 Collected by the seller and held in trust for the state



Retail Sales Tax

Examples:

- Vehicles, furniture, clothing and appliances
- Some amusement and recreation activities such as racquetball and golf
- Construction performed for consumers



Retailing B&O and Retail Sales Tax

Examples

- Sales of equipment to end consumers
- Selling various gas appliances at retail
- Sales of items such as rain barrels and compost bins

Revenue Washington State

Place of Sale

Three Rules:

I. Tangible personal property

- Over the counter sales: store location
- Delivery: where customer receives goods

2. Labor, installation and construction

- where labor takes place

3. Rentals of goods:

- Single payment: where customer picks up goods
- Periodic payments:

First payment: where customer picks up goods

Subsequent payments: where goods are used



Retail Sales Tax Deductions

- Bad debts
- Cash and Trade Discounts
- Return and Allowances
- Interstate and foreign sales



Enterprise and Utility Activities

- No B&O exemption for enterprise and utility activities
 - Enterprise activities are financed similar to that of private business
 - ✓ Activity in competition with private business
 - ✓ Activity more than 50% funded by user fees
 - √ Ambulance service provided by volunteer fire dept
 - B&O tax exemption for non-enterprise activities does not extend to sales tax
 - ✓ Activity subject to sales tax, must collect tax due regardless of B&O tax exemption



Enterprise vs. Non-Enterprise Activities

- B&O tax exemption for cities, counties, towns, school districts, and fire districts for exclusively governmental activities – non-enterprise activities
 - Charges and/or fees considered non-enterprise
 - ✓ Fire fighting both within and outside the district
 - √ Licenses and permits
 - ✓ Inspections
 - ✓ Copies of public records, reports & studies
 - √ Pet adoption licenses
 - √ Processing fees for fingerprinting
 - √ Environmental impact statements
 - ✓ On-street metered parking and on-street parking permits
 - √ Taxes, fines, penalties, and interest thereon (not including tax on utility services)



Public Utility Tax

- Tax on business for act of operating a public service ("utility") business
- Similar to B&O tax, but on public service businesses, such as:
 - √ Water distribution
 - √ Sewer facilities
 - ✓ Power
 - √ Gas distribution





Taxability of Fire District Activities

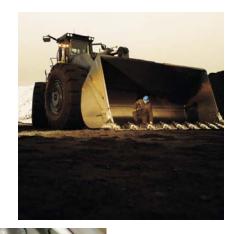
Activities Not Subject to Retail Sales Tax

• The rental of equipment along with fire district personnel that are directly involved with fighting fires or extinguishing flames are not subject to retail sales tax when the fire districts are not under the specific direction of the fire boss (except as to where to perform the service) and the fire boss has no control over how the work will be performed.





Taxability of Fire District Activities







Activities Subject to Retail Sales Tax

• Fire districts performing other tasks (e.g. erosion control, earth moving, repair services, sales of apparel, providing food or shelter, etc.) are subject to retail sales tax based on the nature of the activity performed.



Municipality Tax Imposed on Third-Party Utility Business

- Tax a city imposes on the district is not taxable.
 However, when the utility passes this tax along to
 their customers it is considered part of the
 district's taxable gross utility revenue, taxable
 under either the B&O or Public Utility tax
 classifications.
- See 19 WTD 332



Municipality Tax Imposed on Their Own Utility Business not Their Customer

In order for a municipal utility tax to be exempt:

- 1. First, a city must be granted <u>specific</u> authority from the legislature to impose the utility tax on the consumer. Then,
- 2. There must be a specific municipal code which imposes the utility tax on the consumer.



Public Utility Tax

- Gross Income including activities incidental to providing the utility service.
- Exclusions from Income
 - Interdepartmental charges
 - LID and ULID Assessments
 - Volume
 - Contributions of Equipment
 - Contributions of Cash are taxable



Sewer Utilities

- Definitions
 - Lateral Sewer
 - Intercepting Sewer
 - Pump or Lift Stations
 - o Force Main
 - Treatment Plant





Definitions Related to Sewerage

Sewage

Sewage is the waste matter carried off by sewer drains and pipes.

Sewerage

Sewerage refers to the physical facilities (e.g., pipes, lift stations, and treatment and disposal facilities) through which sewage flows.



Definitions Related to Sewerage Continued

Intercepting Sewer

An intercepting sewer is a main sewer that receives flow from laterals and delivers the sewage to another main sewer or to a point for treatment or disposal. (See miscellaneous section for more detail including a diagram to assist in understanding this concept.)

Pump or Lift Stations

Sewer pipes are generally gravity driven. Wastewater flows slowly downhill until it reaches a certain low point. Then pump, or "lift," stations push the wastewater back uphill to a high point where gravity can once again take over the process.



Definitions Related to Sewerage Continued

Force Main

A force main is a sewer line fed by a lift station; carries pumped wastewater to a point where other pumps or gravity can take over.

Treatment Plant

A treatment plant is a structure built to treat wastewater before discharging it into the environment.



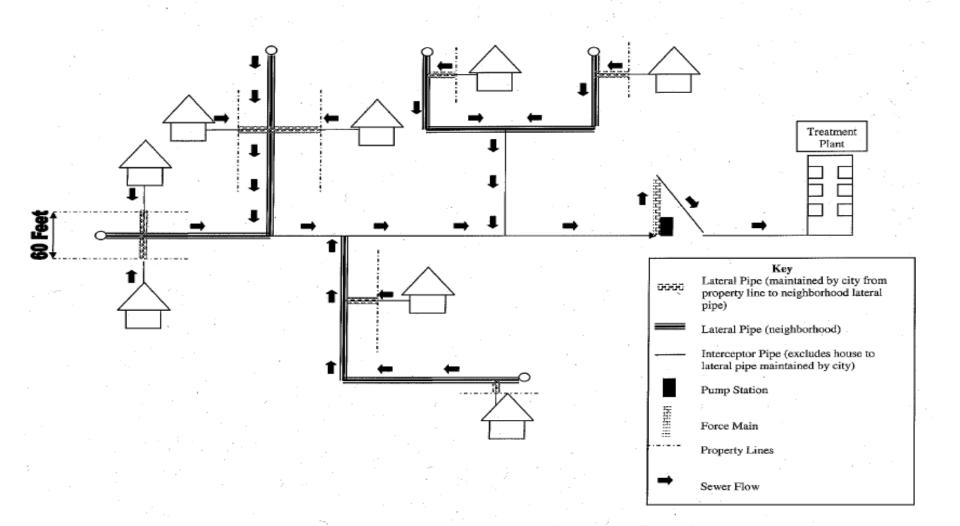
How is a Sewer Utility Taxed?

- Sewer Collection
 - A sewerage collection business includes only that portion of a sewer system where "collection" occurs. Sewerage collection ends when the sewage exits the lateral sewers in a sewer system.
 - Sewer Collection is taxable under the Public Utility Tax

- Sewer Transfer, Treatment and Disposal Activities
 - Sewerage transfer begins at the point where sewage leaves the laterals in a sewer system and is transferred via intercepting pipes to another main sewer or to a point for treatment or disposal.
 - Sewerage transfer, treatment and disposal activities are taxable under the Service and Other Activities B&O tax classification.



Sewer Analysis





Cost Methodology - Assuming the Utility Owns a Treatment Plant

- Separate costs of treatment from costs of collection and transfer (including pump stations costs).
- Determine costs of collection vs. transfer via pipe analysis (see section below for pipe analysis methodology).
- Determine percent of cost of collection to total costs and apply percent to sewer income to determine amount subject to PUT.
- Determine percent of transfer and treatment to total costs and apply percent to sewer income to determine amount subject to service and other activities B&O tax.



City of A owns and operates its own treatment plant. Total sewer income, including treatment, for the year amounts to \$2,500,000. The annual costs associated with the treatment plant are \$1,000,000. The total costs related to the collection and transfer is \$1,200,000. A sewer pipe analysis was done by the city of A that determined that 20,000 linear feet of pipe was related to collection and 16,000 linear feet of pipe was related to transfer.



Treatment costs are \$1,000,000.

- Step I: 20,000/(20,000+16,000) = 56 percent Collection Pipe 16,000/(20,000+16,000) = 44 percent Transfer Pipe
 - Step 2: \$1,200,000 Collection and Transfer Costs times 56 percent = \$672,000 Collection Costs
 - \$1,200,000 Collection and Transfer Costs times 44 percent = \$528,000 Transfer Costs
- Step I: \$1,000,000 Treatment Costs + \$1,200,000 Collection and Transfer Costs = \$2,200,000 Total Costs.
 - Step 2: \$672,000 Collection Costs / \$2,200,000 Total Costs = 31 percent
 - Step 3: \$2,500,000 Total Sewer Income times 3 I percent = \$775,000 Calculated Collection Income taxable under PUT.
- Step I: (\$1,000,000 Treatment Costs + \$528,000 Transfer Costs) / \$2,200,000 Total Costs = 69 percent.
 - Step 2: \$2,500,000 Total Sewer Income times 69 percent = \$1,725,000 Calculated Transfer and Treatment Income taxable under service and other activities B&O tax.



Cost Methodology - Assuming the Utility Does Not Own a Treatment Plant

- Take total sewer billings and deduct costs paid to third-party treatment provider(s) (RCW 82.04.432).
- Determine costs of collection vs. transfer via pipe analysis (see section below for pipe analysis methodology).
- Determine percent of cost of collection to total costs of collection and transfer and apply percent to net sewer income in section a. (above) to determine <u>amount subject to PUT</u>.
- Determine percent of transfer to total costs and apply percent to net sewer income in section a. (above) to determine <u>amount subject</u> to service and other activities B&O tax.



City of B does not own a treatment plant. It purchases sewer treatment services from City C at an annual cost of \$900,000. Total sewer income, including treatment, for the year amounts to \$2,400,000. The total costs related to the collection and transfer is \$1,000,000. A sewer pipe analysis was done by the City of B that determined that 15,000 linear feet of pipe was related to collection and 21,000 linear feet of pipe was related to transfer.



- \$2,400,000 Total Sewer Billings \$900,000 Payments to City C for Treatment (RCW 82.04.432) = \$1,500,000 Net Taxable Sewer Income.
- Step I: 15,000/(15,000+21,000) = 42 percent Collection Pipe
 - 21,000/(15,000+21,000) = 58 percent Transfer Pipe
 - Step 2: \$1,000,000 Collection and Transfer Costs times 42 percent = \$420,000 Collection Costs
 - \$1,000,000 Collection and Transfer Costs times 58 percent = \$580,000 Transfer Costs
- Step 1: \$1,000,000 = Total Collection and Transfer Costs
 - Step 2: \$420,000 Collection Costs / \$1,000,000 Collection and Transfer Costs = 42 percent
 - Step 3: \$1,500,000 Net Taxable Sewer Income (Excluding Treatment Deduction per a. above) times 42 percent = \$630,000 Calculated Collection Income taxable under PUT.
- Step 1: \$580,000 Transfer Costs / \$1,000,000 Total Collection and Transfer Costs = 58 percent.
 - Step 2: \$1,500,000 Net Taxable Sewer Income (excluding treatment deduction per a. above) times 58 percent = \$870,000 Calculated Transfer Income taxable under service and other activities B&O tax.



Water Distribution

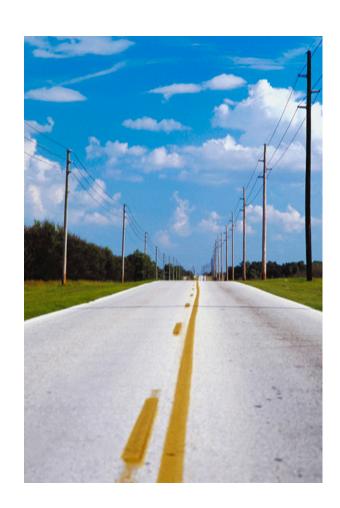
- City-Imposed Municipal Utility Taxes are Part of the Gross Income (Special Notice August 15, 2011)
- Water for Irrigation purposes (RCW 82.16.050(7)
- Chemicals and Other Articles Used in Purifying Water
- Making of Potable Water is not Manufacturing





Public Road Construction

- Prime & subcontractor
- Land ownership
 - Cities, counties, U.S.
 - Does not include work performed for the state of WA
- Public Road Construction B&O tax
- Use tax applies
 - Consumer of all materials:
 purchased, provided, extracted





Use Tax

- Companion to sales tax on goods acquired for use in Washington
- When sales tax is not paid, use tax is due
- Generally, the buyer must pay directly to Department of Revenue
- Value is taxable amount, including delivery costs
- Rates same as sales tax, based on location of first use in Washington



Use Tax Examples

- Purchases from out-of-state vendors
- Furniture, fixtures and equipment that are purchased with an existing business
- Equipment used on construction jobs



Miscellaneous

- Building Permits
 - What information is required?
 - Why should the municipality care?
 - o Why does DOR care?
- Record Keeping
- Will I be selected for Audit?





Recordkeeping Requirements

- Records should be kept for a minimum of five years
- Include:
 - ✓ Copies of federal, state and local tax returns and workpapers
 - √ General ledgers
 - √ Sales journal
 - √ Check register
 - √ Sales invoices
 - ✓ Purchase invoices
 - ✓ Records as required by deductions



Common Reporting Errors & Audit Findings

- Use tax
- Sewer Collection, Transfer Vs. Sewer Treatment Reclassification
- Reporting All Enterprise Activities
- Amount of Retail Sales Tax collected not reported
- Lack of Recordkeeping
- Deductions/Exemptions
 - √ Tax Paid at Source
 - ✓ Documenting Exempt sales (i.e. sales for resale)
 - ✓ Advance Reimbursements
- Areas where tax law has recently changed

