

CHAPTER 57.

[S. B. 74.]

DELINQUENT TAXES: REMISSION OF INTEREST AND
INSTALLMENT CONTRACTS.

AN ACT relating to taxation, remitting interest on certain delinquent taxes, authorizing installment contracts for the payment of such taxes, prescribing the powers and duties of county officers in connection therewith and declaring that the act shall take effect immediately.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. All accrued interest on delinquent real and personal property taxes for any one year prior to 1933 is hereby remitted: *Provided*, The principal amount thereof, together with the taxes with accrued interest thereon for the year 1933, or any one subsequent year, is paid in full on or before November 30, 1937. The remission of interest herein provided for shall not apply to any tax upon which a judgment has been entered or for which a certificate of delinquency has been issued to any person other than the county.

Remission
of interest.

SEC. 2. At any time on or before the thirtieth day of November, 1937, the county treasurer of any county in the state is authorized and directed to accept from any person or corporation owning one or more parcels of real property in the state or holding a contract for the purchase thereof, or from a mortgagee or other lien holder, or from any person or corporation owning personal property, upon which one or more payments or installments of property taxes for 1933 or prior years are delinquent, a signed agreement, first, to pay before delinquency, the current taxes upon such property payable in the year 1937 and each year thereafter, and, secondly, to pay in twenty semi-annual installments (a), the total delinquent taxes upon such property for 1933

Installment
contracts.

and prior years, plus (b), the total delinquent taxes upon such property for the years 1934 and 1935, if any, together with accrued interest thereon; suspending all other penalties and interest upon said delinquent taxes. The sum of (a) and (b) shall become the principal of an agreement executed under this act, which the holder shall agree to pay in twenty equal installments beginning with the date of the agreement and continuing on the 30th day of each November and the 31st day of each May thereafter, together with interest on unpaid balances thereof at the rate of six per cent per annum from the date of agreement. Payments made on the principal of such agreements shall be applied, first, to the payment of the interest incorporated therein, and when such interest has been fully paid, the balance of payments made shall be applied to the tax longest delinquent. All interest collected under such agreements, including that incorporated in the principal of the agreement, shall be credited to the county current expense fund. Such agreement shall provide that any unpaid balance thereunder, at the election of such person or corporation, may be paid in full at any time, with interest thereon up to and including the day of payment. It shall further provide that in the event two successive installments are not paid on or before the date when due, or in the event that any installment of taxes payable in the year 1937, or any year thereafter, is not paid within twelve months after the same shall become delinquent, the agreement shall become void and of no effect whatsoever. Upon the agreement becoming void, the unpaid portion of the original tax and interest thereon shall be restored upon the tax rolls and the county shall institute tax foreclosure or distraint proceedings as provided by law. The taxes incorporated in agreements under this act shall

Twenty
equal
installments.

Interest
rate.

Unpaid bal-
ance may be
paid in full.

Delinquent
installments.

remain a first lien on the property until the agreement is fully paid and satisfied.

SEC. 3. Separate agreements shall be made for real and personal property and every such agreement shall provide in the case of personal property that such contract shall not be made unless the making thereof shall be approved in writing by a majority of the board of county commissioners of the county wherein the property is situated or taxable, and such agreements shall not be approved by such board of county commissioners in cases wherein the personal property so taxed is held as a part of a stock of the goods for resale or in cases where said personal property is easily lost, destroyed or dissipated, and no agreement shall be made in respect to personal property tax where the amount of the tax involved is less than \$100.00.

Separate agreements for real and personal property.

SEC. 4. Whenever it shall appear to the county treasurer that personal property taxes have been included in a single levy upon personal property, part of which is eligible to installment contract as provided in this act and part of which is not so eligible, the county treasurer may segregate such taxes and the lien thereof and issue contracts as provided for herein upon such portion of such personal property taxes as may be so eligible for contract separate and apart from taxes upon personal property not so eligible.

Segregation of eligible and ineligible property.

SEC. 5. If, during the life of any such agreement relating to taxes on personal property, the county treasurer shall determine in the exercise of his sound discretion that the property covered by said tax is about to be dissipated, destroyed or removed from the county or the security therefor lost or materially impaired, the county treasurer may cancel such agreement and proceed forthwith with distraint proceedings for any installments unpaid, together

Distraint of personal property.

with interest accrued as in such contract provided as if such agreement had never been made.

Distrain
and
foreclosure
withheld.

SEC. 6. The county treasurer shall withhold foreclosure or distraint proceedings upon the property as long as the signer of the agreement complies with the terms thereof.

Agreement
effective.

SEC. 7. The agreement shall become effective upon the signing thereof accompanied by the payment of one installment thereof and the payment of such portion of the current taxes as are then due and payable or delinquent.

Contested
taxes.

SEC. 8. No person shall be entitled to the benefit of this act with respect to tax payments which are being, or which shall hereafter be, contested: *Provided, however,* Should any such contest be dismissed during the life of this act and contestant pays all costs incurred, such dismissing contestant shall be entitled to the benefits of this act.

Effective
immediately.

SEC. 9. This act is necessary for the immediate preservation of the public peace, health and safety, support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate January 28, 1937.

Passed the House February 24, 1937.

Approved by the Governor March 12, 1937.