

~~used in such county. Not later than July 1, 1971 the administrator for the courts shall adopt a rule establishing standards for verifying fees authorized by this section.))~~ customarily charged for general trial work by the condemnnee's attorney for actual trial time and his or her hourly rate for preparation. Reasonable expert witness fees as authorized in this section shall not exceed the customary rates obtaining in the county by the hour for investigation and research and by the day or half day for trial attendance.

(5) In no event may any offer in settlement be referred to or used during the trial for any purpose in determining the amount of compensation to be paid for the property.

Sec. 2. Section 1, chapter 28, Laws of 1943 and RCW 8.28.040 are each amended to read as follows:

Whenever in any eminent domain proceeding, heretofore or hereafter instituted for the taking or damaging of private property, a verdict shall have been returned by the jury, or by the court if the case be tried without a jury, fixing the amount to be paid as compensation for the property so to be taken or damaged, such verdict shall bear interest at the ~~((rate of six percent per annum))~~ maximum rate of interest permitted at that time under RCW 19.52.020 from the date of its entry to the date of payment thereof: PROVIDED, That the running of such interest shall be suspended, and such interest shall not accrue, for any period of time during which the entry of final judgment in such proceeding shall have been delayed solely by the pendency of an appeal taken in such proceeding.

Passed the Senate February 28, 1984.

Passed the House February 15, 1984.

Approved by the Governor March 7, 1984.

Filed in Office of Secretary of State March 7, 1984.

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## CHAPTER 130

[Second Substitute Senate Bill No. 3158]

### TRADE NAMES

AN ACT Relating to trade names; amending section 1, chapter 145, Laws of 1907 as amended by section 1, chapter 22, Laws of 1979 ex. sess. and RCW 19.80.010; amending section 5, chapter 145, Laws of 1907 and RCW 19.80.040; adding new sections to chapter 19.80 RCW; creating a new section; repealing section 4, chapter 145, Laws of 1907 and RCW 19.80.020; repealing section 3, chapter 145, Laws of 1907 and RCW 19.80.030; and providing an effective date.

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

NEW SECTION. Sec. 1. There is added to chapter 19.80 RCW a new section to read as follows:

The purposes of this chapter are: (1) To require each person who is conducting business in the state of Washington under a trade name to disclose the true and real name of each person conducting that business, and

(2) to provide a central registry of businesses operating under a trade name in the state of Washington.

**NEW SECTION.** Sec. 2. There is added to chapter 19.80 RCW a new section to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) "Trade name" means a word or name, or any combination of a word or name, used by a person to identify the person's business which:

(a) Is not, or does not include, the true and real name of all persons conducting the business; or

(b) Includes words which suggest additional parties of interest such as "company," "and sons," or "and associates."

(2) "Business" means an occupation, profession, or employment engaged in for the purpose of seeking a profit.

(3) "Executed" by a person means that a document signed by such person is signed by that person under penalties of perjury and in an official and authorized capacity on behalf of the person submitting the document to the department of licensing.

(4) "Person" means any individual, partnership, or corporation conducting or having an interest in a business in the state.

(5) "True and real name" means:

(a) The surname of an individual coupled with one or more of the individual's other names, one or more of the individual's initials, or any combination;

(b) The designation or appellation by which an individual is best known and called in the business community where that individual transacts business, if this is used as that individual's legal signature;

(c) The registered corporate name of a domestic corporation as filed with the secretary of state;

(d) The registered corporate name of a foreign corporation authorized to do business within the state of Washington as filed with the secretary of state;

(e) The registered partnership name of a domestic limited partnership as filed with the secretary of state;

(f) The registered partnership name of a foreign limited partnership as filed with the secretary of state; or

(g) The name of a general partnership which includes in its name the true and real names, as defined in (a) through (f) of this subsection, of each general partner as required in RCW 19.80.010.

Sec. 3. Section 1, chapter 145, Laws of 1907 as amended by section 1, chapter 22, Laws of 1979 ex. sess. and RCW 19.80.010 are each amended to read as follows:

~~((No))~~ Each person or persons who shall ~~((hereafter))~~ carry on, conduct, or transact business in this state under any ~~((assumed))~~ trade name

~~((or under any designation, name or style, corporate or otherwise, other than the true and real name or names of the person or persons conducting such business or having an interest therein, unless such person, or all of such persons, conducting said business, or having an interest therein,)) shall ((file a certificate)) register that trade name with the department of licensing((; which certificate shall)) as set forth ((the designation, name or style under which said business is to be conducted, and the)) in this section:~~

(1) Sole proprietorship or general partnership: The registration shall set forth the true and real name or names of ((the party or parties)) each person conducting((, or intending to conduct,)) the same, ((or having an interest therein,)) together with the post office address or addresses of ((said)) each such person ((or persons. Such certificate shall be executed and acknowledged by the party or parties conducting, or intending to conduct, said business, or having an interest therein, before an officer authorized to take acknowledgment of deeds)) and the name of the general partnership, if applicable.

(2) Foreign or domestic limited partnership: The registration shall set forth the limited partnership name as filed with the office of the secretary of state.

(3) Foreign or domestic corporation: The registration shall set forth the corporate name as filed with the office of the secretary of state.

(4) The registration shall be executed by:

(a) The sole proprietor of a sole proprietorship;

(b) A general partner of a domestic or foreign general or limited partnership; or

(c) An officer of a domestic or foreign corporation.

NEW SECTION. Sec. 4. Within one year after the effective date of this act, each person who registered a trade name prior to October 1, 1984, and is conducting or transacting business in this state under that trade name, shall reregister the trade name under this chapter. All reregistrations shall be executed under RCW 19.80.010 and shall be accompanied by a fee of five dollars or the fee set under section 6 of this act. Within three years of the effective date of this act, the department of licensing shall devise and implement a no-fee system for identifying and purging trade name registrations that have become inactive. Failure to reregister within one year of the effective date of this act terminates the previous registration.

NEW SECTION. Sec. 5. There is added to chapter 19.80 RCW a new section to read as follows:

(1) An executed amendment shall be filed with the department of licensing when a change occurs in:

(a) The true and real name of a person conducting a business with a trade name registered under this chapter; or

(b) Any mailing address set forth on the registration or any subsequently filed amendment.

(2) A notice of cancellation shall be filed with the department when use of a trade name is discontinued.

(3) A notice of cancellation, together with a new registration, shall be filed before conducting or transacting any business when:

(a) An addition, deletion, or any change of person or persons conducting business under the registered trade name occurs; or

(b) There is a change in the wording or spelling of the trade name since initial registration or renewal.

NEW SECTION, Sec. 6. There is added to chapter 19.80 RCW a new section to read as follows:

The director of licensing shall adopt rules as necessary to administer this chapter. The rules may include but are not limited to specifying forms and setting fees for trade name registrations, amendments, searches, renewals, and copies of registration documents. Fees shall not exceed the actual cost of administering this chapter.

Sec. 7. Section 5, chapter 145, Laws of 1907 and RCW 19.80.040 are each amended to read as follows:

No person or persons carrying on, conducting, or transacting business ~~((as aforesaid, or having an interest therein,))~~ under any trade name shall ~~((hereafter))~~ be entitled to maintain any suit in any of the courts of this state ~~((without alleging and proving that))~~ until such person or persons have ~~((filed a certificate))~~ properly completed the registration as provided for in RCW 19.80.010 ~~((, and failure to file such certificate shall be prima facie evidence of fraud in securing credit)).~~ Failure to complete this registration shall not impair the validity of any contract or act of such person or persons and shall not prevent such person or persons from defending any suit in any court of this state.

NEW SECTION, Sec. 8. There is added to chapter 19.80 RCW a new section to read as follows:

RCW 42.17.260(5) does not apply to registrations made under this chapter.

NEW SECTION, Sec. 9. There is added to chapter 19.80 RCW a new section to read as follows:

All fees collected by the department of licensing under this chapter shall be deposited with the state treasurer and credited to the general fund.

NEW SECTION, Sec. 10. The following acts or parts of acts are each repealed:

(1) Section 4, chapter 145, Laws of 1907 and RCW 19.80.020; and

(2) Section 3, chapter 145, Laws of 1907 and RCW 19.80.030.

NEW SECTION, Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 12. Sections 1 through 11 of this act shall take effect on October 1, 1984. The director of licensing is authorized to immediately take such steps as are necessary to insure that this act is implemented on its effective date.

Passed the Senate February 28, 1984.

Passed the House February 16, 1984.

Approved by the Governor March 7, 1984.

Filed in Office of Secretary of State March 7, 1984.

## CHAPTER 131

[Substitute Senate Bill No. 3178]

### PROPERTY TAXATION—DELINQUENCIES AND PENALTIES—VOTER APPROVAL OF PROPERTY TAX LEVIES—CLARIFICATION— CONSERVATION FUTURES ON AGRICULTURAL LAND

AN ACT Relating to property taxation; amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 322, Laws of 1981 and RCW 84.56.020; amending section 13, chapter 22, Laws of 1982 1st ex. sess. and RCW 67.38.130; amending section 1, chapter 200, Laws of 1979 ex. sess. and RCW 84.52.069; amending section 18, chapter 210, Laws of 1981 and RCW 36.69.145; amending section 9, chapter 218, Laws of 1963 as last amended by section 7, chapter 210, Laws of 1981 and RCW 36.68.480; amending section 13, chapter 218, Laws of 1963 as last amended by section 83, chapter 167, Laws of 1983 and RCW 36.68.520; adding a new section to chapter 29.30 RCW; adding a new section to chapter 36.68 RCW; adding a new section to chapter 84.36 RCW; creating new sections; and repealing section 271, chapter 167, Laws of 1983.

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

Sec. 1. Section 84.56.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 322, Laws of 1981 and RCW 84.56.020 are each amended to read as follows:

The county treasurer shall be the receiver and collector of all taxes extended upon the tax rolls of the county, whether levied for state, county, school, bridge, road, municipal or other purposes, and also of all fines, forfeitures or penalties received by any person or officer for the use of his or her county. All taxes upon real and personal property made payable by the provisions of this title shall be due and payable to the treasurer as aforesaid on or before the thirtieth day of April and shall be delinquent after that date: PROVIDED, That when the total amount of tax on personal property or on any lot, block or tract of real property payable by one person is ten dollars or more, and if one-half of such tax be paid on or before the said thirtieth day of April, the remainder of such tax shall be due and payable on or before the thirty-first day of October following and shall be delinquent after that date: PROVIDED FURTHER, That when the total amount of tax on any lot, block or tract of real property payable by one person is ten dollars or more, and if one-half of such tax be paid after the thirtieth day of April but before the thirty-first day of October, together with the applicable interest and penalty on the full amount of such tax, the