
Local Government Committee

HB 1239

Brief Description: Concerning the powers of water-sewer districts.

Sponsors: Representatives Takko and Crouse.

Brief Summary of Bill

- Grants water-sewer districts the authority to exclusively exercise powers that cities and towns have pertaining to permitting, design, construction, inspection, and approval of facilities that are critical infrastructure for the functions of water works and systems of sewerage and drainage.
- Specifies that the granted powers may be utilized by water-sewer districts to the same extent as cities and counties exercise them with respect to their own infrastructure.
- Specifies that "critical infrastructure" constitutes facilities that have as their exclusive purpose, the functions necessary to water works and systems of sewerage and drainage.

Hearing Date: 1/29/13

Staff: Ethan Moreno (786-7386).

Background:

Water-Sewer Districts.

Water-sewer districts have specifically enumerated powers in statute, including the authority to purchase, construct, maintain, and supply waterworks to furnish water to inhabitants within and outside of the district. Water-sewer districts are also authorized to develop and operate systems of sewers and drainage, and may create facilities, systems, and programs for the collection, interception, treatment, disposal, and pollution control of wastewater. Water-sewer districts may exercise any of the powers granted to cities and counties with respect to the acquisition, construction, maintenance, operation of, and fixing rates and charges for waterworks and systems of sewerage and drainage.

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Cities, Towns, and Counties.

Cities and towns are granted broad powers with respect to municipal utilities. For example, cities and towns may establish, construct, maintain systems of sewers, drains, and water supplies within and outside of their corporate limits. In exercising these powers, cities and towns have extensive powers to control, regulate, manage, and establish service prices related to these systems.

Similarly, counties may adopt, provide for, accept, establish, condemn, purchase, construct, add to, operate, and maintain sanitary and storm sewer systems and water supply systems within all or a portion of a county. In exercising these powers, counties may control, regulate, operate, and manage these systems.

Cities, towns, and counties, as general purpose local governments, also have general building and permitting authority for projects located within their jurisdiction.

Summary of Bill:

Water-sewer districts are granted the authority to exclusively exercise the same power granted to cities and towns with respect to the permitting, design, construction, inspection, and approval of facilities that are critical infrastructure for the functions of water works and systems of sewerage and drainage. This power may be exercised to the same extent as cities and counties exercise as to their own infrastructure. "Critical infrastructure" constitutes facilities that have as their exclusive purpose, the functions necessary to water works and systems of sewerage and drainage.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.