S-1234.1

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**SUBSTITUTE SENATE BILL 5022**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senate Natural Resources & Parks (originally sponsored by Senators Angel, Liias, and Rolfes)

AN ACT Relating to providing fee immunity for certain city, town, and county water facilities; and adding a new section to chapter 35.21 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 35.21 RCW to read as follows:

(1) A city, town, or county may:

(a) Plan for, construct, operate, and maintain moorage facilities as defined in RCW 53.08.310 for recreational boating activities on land and overwater structures owned or otherwise controlled by a city, town, or county; and

(b) Impose a fee under its existing authority for access to or use of facilities identified under (a) of this subsection.

(2)(a) A city, town, or county that imposes fees identified under subsection (1)(b) of this section that do not exceed twenty dollars daily or one hundred dollars annually is not liable for unintentional injuries to users of facilities identified under subsection (1)(a) of this section. Nothing in this section prevents the liability of the city, town, or county for injuries sustained by a user by reason of a known dangerous artificial latent condition for which warning signs have not been conspicuously posted.

(b) Every two years after the effective date of this section, the maximum daily charge of twenty dollars identified under (a) of this subsection increases by one dollar and the maximum annual charge of one hundred dollars identified under (a) of this subsection increases by five dollars.

**--- END ---**