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**HOUSE BILL 1737**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Representatives Kraft, Pollet, Walsh, Peterson, Vick, and Eslick

AN ACT Relating to utility service annexation covenants; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 35A.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 may not require the owner of a property located outside its corporate limits to enter into a utility service annexation covenant as a condition of extending utilities to such property.

(2) Nothing in this section should be interpreted as requiring a city to extend utilities to property outside its corporate limits.

(3) Nothing in RCW 35.84.010, 35.91.020, 35.21.210, 35.67.310, or other applicable laws granting contracting authority to a city allows a city to require the owner of a property located outside its corporate limits to enter into a utility service annexation covenant as a condition of extending utilities to such property.

(4) For purposes of this section, a "utility service annexation covenant" means a contract between a city and a property owner located in another city, town, or unincorporated area wherein the city agrees to provide utility service or services to the property in exchange for a promise that the property owner or owners, whenever requested, sign any letter, notice, petition, or other instrument under applicable laws of the state of Washington initiating, furthering, or accomplishing annexation of the property into the city.

NEW SECTION. **Sec.**  A new section is added to chapter 35A.21 RCW to read as follows:

(1) A city may not require the owner of a property located outside its corporate limits to enter into a utility service annexation covenant as a condition of extending utilities to such property.

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