

FINAL BILL REPORT

ESHB 2088

C 394 L 03

Synopsis as Enacted

Brief Description: Revising provisions relating to storm water rates and charges.

Sponsors: By House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Schoesler, Chandler and Linville).

House Committee on Agriculture & Natural Resources
Senate Committee on Natural Resources, Energy & Water

Background:

Storm water sewer facilities may be operated by a variety of local governments, including counties, cities, towns, and water-sewer districts. Generally, these entities' authority to operate these systems includes the power to construct, acquire, maintain and operate sites and facilities for storm water drainage. These local governments generally are given full authority to establish the rates and charges for the services and facilities.

According to state law, rates and charges must be uniform for the same class of customers or service and facility. However, state statutes specify a variety of factors that may be considered when developing these rates and charges, including:

- services furnished;
- benefits received;
- land's character, use, or water runoff characteristics;
- land user's nonprofit public benefit status;
- land user's income level; or
- other matters presenting a reasonable difference as a ground for distinction.

Summary:

Local governments operating storm water sewer facilities must reduce rates and charges for those facilities by a minimum of 10 percent for any new or remodeled commercial building that utilizes a permissive rainwater harvesting system. The rainwater harvesting system must be properly sized to utilize the available roof surface of the commercial building. Jurisdictions must consider rate reductions exceeding 10 percent depending on the amount of rainwater harvested. These provisions apply to storm water sewer facilities of counties, cities, towns, water-sewer districts, and county flood control zone districts.

Counties are prohibited from imposing storm water sewer system rates and charges on lands taxed as either forest land or as timber land according to state law.

Votes on Final Passage:

House 96 0

Senate 36 13 (Senate amended)

House 97 0 (House concurred)

Effective: July 27, 2003