
SENATE BILL 5520

State of Washington

62nd Legislature

2011 Regular Session

By Senators Tom and Kilmer

Read first time 01/28/11. Referred to Committee on Environment, Water & Energy.

1 AN ACT Relating to rates and charges for storm water control
2 facilities; and amending RCW 35.67.025 and 35.92.021.

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

4 **Sec. 1.** RCW 35.67.025 and 1986 c 278 s 55 are each amended to read
5 as follows:

6 (1) Except as otherwise provided in RCW 90.03.525 and subsection
7 (2) of this section, any public entity and public property, including
8 the state of Washington and state property, shall be subject to rates
9 and charges for storm water control facilities to the same extent
10 private persons and private property are subject to such rates and
11 charges that are imposed by cities and towns pursuant to RCW 35.67.020.
12 In setting these rates and charges, consideration may be made of in-
13 kind services, such as stream improvements or donation of property.

14 (2) Because of the substantial costs incurred by secondary
15 permittee state research universities located in small cities in
16 eastern Washington to comply with the requirements of a storm water
17 permit issued pursuant to RCW 90.48.260, rates and charges to such
18 institutions may not exceed thirty percent of the rates and charges
19 imposed by their primary permittee. The legislature finds that these

1 rates are presumptively fair and equitable because of the expenditures
2 by the institutions for the construction, operation, and maintenance of
3 storm water control facilities designed to control surface water or
4 storm water runoff from institution property, the storm water permit
5 maintenance activities performed by the institution on the streets and
6 other facilities on campus, and the other activities needed to comply
7 with storm water permit requirements.

8 **Sec. 2.** RCW 35.92.021 and 1986 c 278 s 56 are each amended to read
9 as follows:

10 (1) Except as otherwise provided in RCW 90.03.525 and subsection
11 (2) of this section, any public entity and public property, including
12 the state of Washington and state property, shall be subject to rates
13 and charges for storm water control facilities to the same extent
14 private persons and private property are subject to such rates and
15 charges that are imposed by cities and towns pursuant to RCW 35.92.020.
16 In setting these rates and charges, consideration may be made of in-
17 kind services, such as stream improvements or donation of property.

18 (2) Because of the substantial costs incurred by secondary
19 permittee state research universities located in small cities in
20 eastern Washington to comply with the requirements of a storm water
21 permit issued pursuant to RCW 90.48.260, rates and charges to such
22 institutions may not exceed thirty percent of the rates and charges
23 imposed by their primary permittee. The legislature finds that these
24 rates are presumptively fair and equitable because of the expenditures
25 by the institutions for the construction, operation, and maintenance of
26 storm water control facilities designed to control surface water or
27 storm water runoff from institution property, the storm water permit
28 maintenance activities performed by the institution on the streets and
29 other facilities on campus, and the other activities needed to comply
30 with storm water permit requirements.

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