

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1317

Chapter 41, Laws of 2015

64th Legislature
2015 Regular Session

COUNTIES--SEWER UTILITY CHARGES--LIENS

EFFECTIVE DATE: 7/24/2015

Passed by the House February 11, 2015
Yeas 98 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 8, 2015
Yeas 48 Nays 0

BRAD OWEN

President of the Senate

Approved April 21, 2015 11:05 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1317** as passed by House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

April 21, 2015

**Secretary of State
State of Washington**

HOUSE BILL 1317

Passed Legislature - 2015 Regular Session

State of Washington 64th Legislature 2015 Regular Session

By Representatives Zeiger, Kilduff, Kirby, Wylie, and Sawyer

Read first time 01/19/15. Referred to Committee on Local Government.

1 AN ACT Relating to the lien for collection of sewer utility
2 charges by counties; and amending RCW 36.94.150.

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

4 **Sec. 1.** RCW 36.94.150 and 1997 c 393 s 9 are each amended to
5 read as follows:

6 (1) All counties operating a system of sewerage and/or water
7 shall have a lien for delinquent connection charges and charges for
8 the availability of sewerage and/or water service, together with
9 interest fixed by resolution at eight percent per annum from the date
10 due until paid. Penalties of not more than ten percent of the amount
11 due may be imposed in case of failure to pay the charges at times
12 fixed by resolution. The lien shall be for all charges, interest,
13 ~~((and))~~ penalties, and lien recording and release fees, and shall
14 attach to the premises to which the services were available. The lien
15 shall be superior to all other liens and encumbrances, except general
16 taxes and local and special assessments of the county.

17 (2) The county department established in RCW 36.94.120 shall
18 certify periodically the delinquencies to the auditor of the county
19 at which time the lien shall attach.

20 (3) In lieu of the procedure provided in subsection (2) of this
21 section, a county may, by resolution or ordinance, adopt the

1 alternative procedure applicable to cities and towns set forth in RCW
2 35.67.210, 35.67.215, and 35.67.290.

3 (4) Upon the expiration of sixty days after the attachment of the
4 lien, the county may bring suit in foreclosure by civil action in the
5 superior court of the county where the property is located. Costs
6 associated with the foreclosure of the lien, including but not
7 limited to advertising, title report, and personnel costs, shall be
8 added to the lien upon filing of the foreclosure action. In addition
9 to the costs and disbursements provided by statute, the court may
10 allow the county a reasonable attorney's fee. The lien shall be
11 foreclosed in the same manner as the foreclosure of real property tax
12 liens.

Passed by the House February 11, 2015.
Passed by the Senate April 8, 2015.
Approved by the Governor April 21, 2015.
Filed in Office of Secretary of State April 21, 2015.

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