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SENATE BILL 5921

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State of Washington

65th Legislature

2017 Regular Session

By Senators O'Ban and Zeiger

Read first time 04/07/17. Referred to Committee on Energy,  
Environment & Telecommunications.

1 AN ACT Relating to clarifying that a city or town is prohibited  
2 from using electric rates to subsidize telecommunication services;  
3 amending RCW 35.92.050; and making an appropriation.

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

5 **Sec. 1.** RCW 35.92.050 and 2002 c 102 s 3 are each amended to  
6 read as follows:

7 (1) A city or town may (~~also~~) construct, condemn and purchase,  
8 purchase, acquire, add to, alter, and maintain and operate works,  
9 plants, and facilities for the purpose of furnishing the city or town  
10 and its inhabitants, and any other persons, with gas, electricity,  
11 and other means of power and facilities for lighting, including  
12 streetlights as an integral utility service incorporated within  
13 general rates, heating, fuel, and power purposes, public and private,  
14 with full authority to regulate and control the use, distribution,  
15 and price thereof, together with the right to handle and sell or  
16 lease, any meters, lamps, motors, transformers, and equipment or  
17 accessories of any kind, necessary and convenient for the use,  
18 distribution, and sale thereof; authorize the construction of such  
19 plant or plants by others for the same purpose, and purchase gas,  
20 electricity, or power from either within or without the city or town  
21 for its own use and for the purpose of selling to its inhabitants and

1 to other persons doing business within the city or town and regulate  
2 and control the use and price thereof.

3 (2) Notwithstanding subsection (1) of this section, a city or  
4 town may not use any moneys collected in electric rates from electric  
5 utility customers to subsidize or otherwise fund, directly or  
6 indirectly, any commercial telecommunication services provided by the  
7 city or town. A city or town providing commercial telecommunication  
8 services must separately account for any revenues and expenditures  
9 for these services pursuant to standards applicable to local  
10 government accounting under chapter 43.09 RCW. For the purposes of  
11 this section, "commercial telecommunication services" means cable  
12 television and internet access.

13 NEW SECTION. Sec. 2. The sum of one hundred thousand dollars,  
14 or as much thereof as may be necessary, is appropriated for the  
15 fiscal year ending June 30, 2018, from the general fund to the state  
16 auditor for the purposes of conducting a review of cities and towns  
17 offering telecommunication services to determine whether they are in  
18 compliance with local government accounting procedures under chapter  
19 43.09 RCW.

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