
HOUSE BILL 1654

State of Washington 53rd Legislature 1993 Regular Session

By Representatives Grant, Brumsickle, Sheldon and Long

Read first time 02/05/93. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to payment responsibility for utility service;
2 amending RCW 35.21.290 and 35.67.200; creating a new section; and
3 providing an effective date.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that policies should
6 be promoted that provide incentives for citizens to act responsibly and
7 pay for those services or products received. The legislature further
8 finds that policies encouraging consumers to pay the full amount owed
9 for utility services will help avoid wasteful use of utility services
10 and help delay increases in the cost of these utility services.

11 **Sec. 2.** RCW 35.21.290 and 1965 c 7 s 35.21.290 are each amended to
12 read as follows:

13 (1) Cities and towns owning their own waterworks, or electric light
14 or power plants shall have a lien against the premises to which water,
15 electric light, or power services were furnished for four months
16 charges therefor due or to become due, but not for any charges more
17 than four months past due: PROVIDED, That the owner of the premises or
18 the owner of a delinquent mortgage thereon may give written notice to

1 the superintendent or other head of such works or plant to cut off
2 service to such premises accompanied by payment or tender of payment of
3 the then delinquent and unpaid charges for such service against the
4 premises together with the cut-off charge, whereupon the city or town
5 shall have no lien against the premises for charges for such service
6 thereafter furnished, nor shall the owner of the premises or the owner
7 of a delinquent mortgage thereon be held for the payment thereof.

8 (2) All charges made for utility services shall be charged to the
9 customer requesting the service. In cases where the service is
10 provided to a commercial or residential tenant, collection of charges
11 shall be made from that individual or individuals, and liens against
12 the property of the landlord for such service are prohibited. A city
13 or town may not refuse to provide service to a commercial or
14 residential customer who is a tenant based on the nonpayment for
15 services by the prior customer. The city or town may refuse to provide
16 service if the prior nonpaying customer continues to reside in the
17 premises.

18 (3) Cities and towns owning their own waterworks, or electric light
19 or power plants shall require:

20 (a) A satisfactory credit resource or an adequate deposit amount
21 before new customers may receive utility services; and

22 (b) A schedule and procedure for discontinuing utility service to
23 customers delinquent in utility service payments. The maximum period
24 allowed for nonpayment of utility services prior to utility service
25 termination is seventy-five days after the day the payment is due.

26 (4) Nothing in this section shall affect the benefits afforded to
27 customers who qualify for the program outlined in RCW 35.21.300.

28 **Sec. 3.** RCW 35.67.200 and 1991 c 36 s 2 are each amended to read
29 as follows:

30 (1) Cities and towns owning their own sewer systems shall have a
31 lien for delinquent and unpaid rates and charges for sewer service,
32 penalties levied pursuant to RCW 35.67.190, and connection charges,
33 including interest thereon, against the premises to which such service
34 has been furnished or is available, which lien shall be superior to all
35 other liens and encumbrances except general taxes and local and special
36 assessments. The city or town by ordinance may provide that delinquent
37 charges shall bear interest at not exceeding eight percent per annum
38 computed on a monthly basis: PROVIDED, That a city or town using the

1 property tax system for utility billing may, by resolution or
2 ordinance, adopt the alternative lien procedure as set forth in RCW
3 35.67.215.

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5 customer requesting the service. In cases where the service is
6 provided to a commercial or residential tenant, collection of charges
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9 or town may not refuse to provide service to a commercial or
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11 services by the prior customer. The city or town may refuse to provide
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16 before new customers may receive utility services; and

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18 customers delinquent in utility service payments. The maximum period
19 allowed for nonpayment of utility services prior to utility service
20 termination is seventy-five days after the day the payment is due.

21 NEW SECTION. Sec. 4. This act shall take effect October 1, 1993.

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