
SUBSTITUTE SENATE BILL 5331

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Energy, Technology & Telecommunications
(originally sponsored by Senators Brown, Goings, Patterson, Eide,
Winsley and Rasmussen)

Read first time 02/12/1999.

1 AN ACT Relating to public utility tax credits for energy assistance
2 programs; and adding a new section to chapter 82.16 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 82.16 RCW
5 to read as follows:

6 (1) Unless the context clearly requires otherwise, the definitions
7 in this subsection apply throughout this section.

8 (a) "Qualifying grant" means a grant provided directly, or through
9 the department of community, trade, and economic development, to an
10 organization that has a contractual agreement with the department of
11 community, trade, and economic development to provide low-income energy
12 assistance programs for a specified service area.

13 (b) "Low-income energy assistance programs" means energy assistance
14 programs for low-income households as defined on the effective date of
15 this act by the federal department of health and human services.

16 (c) "Specified service area" means a service area designated by the
17 department of community, trade, and economic development in the state
18 plan for the low-income home energy assistance program.

1 (2) Subject to the limits set forth in this section, a light and
2 power business or a gas distribution business whose application has
3 been approved by the department under this section may take a credit
4 against tax imposed by this chapter for qualifying grants made by the
5 business. The organization shall apply qualifying grants to the low-
6 income energy related program that best meets a community's needs as
7 determined by the organization.

8 (3) The department shall approve an application to the extent all
9 qualifying grants in a state fiscal year for the specified service area
10 do not exceed twenty-four percent of the amount of moneys allotted to
11 nonprofit or governmental organizations within the specified service
12 area in federal fiscal year 1995 under the United States department of
13 health and human services low-income home energy assistance program.
14 The department shall keep a running total of all credits approved in
15 each service area for each state fiscal year. The businesses, the
16 organizations, and the department shall work together to develop a
17 method to track the credit within service areas.

18 (4) Applications for credits under this section shall be made to
19 the department in a form and manner as required by the department. The
20 department shall approve or deny application for credits using the
21 criteria under this section.

22 (5) Qualifying grants made by a light and power business or a gas
23 distribution business consisting in whole or in part of funds received
24 from voluntary customer contributions are eligible for credit as
25 follows: (a) In an amount equal to one hundred percent of company
26 contributions granted from sources other than voluntary customer
27 contributions; and (b) in an amount equal to ten percent of the
28 voluntary customer contributions granted.

29 (6) The credit allowed under this section is limited to the amount
30 of tax imposed by this chapter for the calendar year. Approved credit
31 may not be carried over to subsequent calendar years. The credit must
32 be claimed by the due date of the last tax return for the calendar year
33 in which the payment is made. Any unused credit expires. Refunds
34 shall not be given in place of credits.

35 (7) A person receiving approval must keep records necessary for the
36 department to verify eligibility under this section.

37 (8) In the case of account closures by recipients of low-income
38 energy assistance, the unused portion of energy assistance from
39 qualifying grants to low-income utility customers shall either: (a) To

1 the extent reasonable and cost-effective, be transferred by the utility
2 or organization to the customer's next utility account; or (b) be
3 returned to the organization's low-income energy assistance programs.
4 Organizations administering qualifying grants shall notify recipients
5 of the requirements of this subsection.

6 (9) No credit shall be approved for grants made before July 1,
7 1999.

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