

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5238**

Chapter 25, Laws of 2015

64th Legislature  
2015 Regular Session

GROWTH MANAGEMENT ACT--PUBLIC PARTICIPATION--PUBLIC WATER SYSTEMS

EFFECTIVE DATE: 7/24/2015

Passed by the Senate March 9, 2015  
Yeas 49 Nays 0

BRAD OWEN

**President of the Senate**

Passed by the House April 8, 2015  
Yeas 93 Nays 4

FRANK CHOPP

**Speaker of the House of Representatives**

Approved April 17, 2015 11:18 AM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5238** as passed by Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

**Secretary**

FILED

April 17, 2015

**Secretary of State  
State of Washington**

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SENATE BILL 5238

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Passed Legislature - 2015 Regular Session

State of Washington

64th Legislature

2015 Regular Session

By Senators Angel, Liiias, Honeyford, McCoy, Dammeier, and Chase

Read first time 01/16/15. Referred to Committee on Government Operations & State Security.

1 AN ACT Relating to public water systems; and amending RCW  
2 36.70A.035.

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

4 **Sec. 1.** RCW 36.70A.035 and 1999 c 315 s 708 are each amended to  
5 read as follows:

6 (1) The public participation requirements of this chapter shall  
7 include notice procedures that are reasonably calculated to provide  
8 notice to property owners and other affected and interested  
9 individuals, tribes, government agencies, businesses, school  
10 districts, group A public water systems required to develop water  
11 system plans consistent with state board of health rules adopted  
12 under RCW 43.20.050, and organizations of proposed amendments to  
13 comprehensive plans and development regulation. Examples of  
14 reasonable notice provisions include:

15 (a) Posting the property for site-specific proposals;

16 (b) Publishing notice in a newspaper of general circulation in  
17 the county, city, or general area where the proposal is located or  
18 that will be affected by the proposal;

19 (c) Notifying public or private groups with known interest in a  
20 certain proposal or in the type of proposal being considered;

1 (d) Placing notices in appropriate regional, neighborhood,  
2 ethnic, or trade journals; and

3 (e) Publishing notice in agency newsletters or sending notice to  
4 agency mailing lists, including general lists or lists for specific  
5 proposals or subject areas.

6 (2)(a) Except as otherwise provided in (b) of this subsection, if  
7 the legislative body for a county or city chooses to consider a  
8 change to an amendment to a comprehensive plan or development  
9 regulation, and the change is proposed after the opportunity for  
10 review and comment has passed under the county's or city's  
11 procedures, an opportunity for review and comment on the proposed  
12 change shall be provided before the local legislative body votes on  
13 the proposed change.

14 (b) An additional opportunity for public review and comment is  
15 not required under (a) of this subsection if:

16 (i) An environmental impact statement has been prepared under  
17 chapter 43.21C RCW for the pending resolution or ordinance and the  
18 proposed change is within the range of alternatives considered in the  
19 environmental impact statement;

20 (ii) The proposed change is within the scope of the alternatives  
21 available for public comment;

22 (iii) The proposed change only corrects typographical errors,  
23 corrects cross-references, makes address or name changes, or  
24 clarifies language of a proposed ordinance or resolution without  
25 changing its effect;

26 (iv) The proposed change is to a resolution or ordinance making a  
27 capital budget decision as provided in RCW 36.70A.120; or

28 (v) The proposed change is to a resolution or ordinance enacting  
29 a moratorium or interim control adopted under RCW 36.70A.390.

30 (3) This section is prospective in effect and does not apply to a  
31 comprehensive plan, development regulation, or amendment adopted  
32 before July 27, 1997.

Passed by the Senate March 9, 2015.

Passed by the House April 8, 2015.

Approved by the Governor April 17, 2015.

Filed in Office of Secretary of State April 17, 2015.