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**SENATE BILL 6121**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Senator Honeyford

AN ACT Relating to the siting of institutions of higher education and accompanying facilities; and adding a new section to chapter 36.70A RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 36.70A RCW to read as follows:

(1) This chapter does not prohibit a county planning under RCW 36.70A.040 from authorizing the extension of public facilities and utilities to serve a privately operated institution of higher education that serves fewer than two thousand students sited within five miles of an urban growth area so long as the following requirements are met:

(a) The applicable board of directors has adopted a policy addressing the institution's needs;

(b) The county and all affected cities agree to the extension of public facilities and utilities to serve the institution;

(c) If the public facility or utility is extended beyond the urban growth area to serve an institution, the public facility or utility must serve only the institution and the costs of such extension must be borne by the institution based on a reasonable nexus to the impacts of the institution except as provided in subsection (3) of this section; and

(d) Any impacts associated with the siting of the institution are mitigated as required by the state environmental policy act, chapter 43.21C RCW.

(2) This chapter does not prohibit either the expansion or modernization of an existing institution of higher education.

(3) Where a public facility or utility has been extended beyond the urban growth area to serve an institution, the public facility or utility may, where consistent with RCW 36.70A.110(4), serve a property or properties in addition to the school if the property owner so requests, provided that the county and all affected cities agree with the request and provided that the property is located no further from the public facility or utility than the distance that, if the property were within the urban growth area, the property would be required to connect to the public facility or utility. In such an instance, the institution may, for a period not to exceed twenty years, require reimbursement from a requesting property owner for a proportional share of the construction costs incurred by the institution for the extension of the public facility or utility.

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