H-0033.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**HOUSE BILL 1264**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 68th Legislature 2023 Regular Session**

**By** Representatives Walen and Reed

AN ACT Relating to encouraging equitable treatment for different categories of solid waste utility customer under local solid waste collection rates; adding a new section to chapter 36.58 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 81.77 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 36.58 RCW to read as follows:

(1) Each county must, for the portion of the jurisdiction that is subject to solid waste collection rates regulated under chapter 81.77 RCW, make available on the county's solid waste website summary information, in a form and manner prescribed by the Washington state utilities and transportation commission consistent with section 4 of this act, detailing:

(a) Whether the fee and rate costs borne by single-family residential customers, as a class of customer, are proportionate to the costs of providing services to single-family residential customers;

(b) Whether the fee and rate costs borne by multifamily residential customers, as a class of customer, are proportionate to the costs of providing services to multifamily residential customers;

(c) Whether the fee and rate costs borne by commercial customers, as a class of customer, are proportionate to the costs of providing services to commercial customers; and

(d) An explanation of why fees and rates have been fixed in a manner that does not result in proportionate costs, if any classes of customers are determined by the county not to pay fees and rates proportionate to the costs of providing services to that class of customers.

(2) The summary information required under subsection (1) of this section must be submitted to the Washington state utilities and transportation commission consistent with section 4 of this act.

(3) The summary information made available under subsection (1) of this section must be updated upon the adoption of changes to the county's solid waste rates.

NEW SECTION. **Sec.**  A new section is added to chapter 35.21 RCW to read as follows:

(1) Each city or town that provides solid waste handling under this chapter must make available on the city's solid waste website summary information, in a form and manner prescribed by the Washington state utilities and transportation commission consistent with section 4 of this act, detailing:

(a) Whether the fee and rate costs borne by single-family residential customers, as a class of customer, are proportionate to the costs of providing services to single-family residential customers;

(b) Whether the fee and rate costs borne by multifamily residential customers, as a class of customer, are proportionate to the costs of providing services to multifamily residential customers;

(c) Whether the fee and rate costs borne by commercial customers, as a class of customer, are proportionate to the costs of providing services to commercial customers; and

(d) An explanation of why fees and rates have been fixed in a manner that does not result in proportionate costs, if any classes of customers are determined by the city not to pay fees and rates proportionate to the costs of providing services to that class of customers.

(2) The summary information required under subsection (1) of this section must be submitted to the Washington state utilities and transportation commission consistent with section 4 of this act.

(3) The summary information made available under subsection (1) of this section must be updated upon the adoption of changes to the city's solid waste rates.

NEW SECTION. **Sec.**  A new section is added to chapter 35A.21 RCW to read as follows:

(1) Each city that provides solid waste handling under this chapter must make available on the city's solid waste website summary information, in a form and manner prescribed by the Washington state utilities and transportation commission consistent with section 4 of this act, detailing:

(a) Whether the fee and rate costs borne by single-family residential customers, as a class of customer, are proportionate to the costs of providing services to single-family residential customers;

(b) Whether the fee and rate costs borne by multifamily residential customers, as a class of customer, are proportionate to the costs of providing services to multifamily residential customers;

(c) Whether the fee and rate costs borne by commercial customers, as a class of customer, are proportionate to the costs of providing services to commercial customers; and

(d) An explanation of why fees and rates have been fixed in a manner that does not result in proportionate costs, if any classes of customers are determined by the city not to pay fees and rates proportionate to the costs of providing services to that class of customers.

(2) The summary information required under subsection (1) of this section must be submitted to the Washington state utilities and transportation commission consistent with section 4 of this act.

(3) The summary information made available under subsection (1) of this section must be updated upon the adoption of changes to the city's solid waste rates.

NEW SECTION. **Sec.**  A new section is added to chapter 81.77 RCW to read as follows:

(1) By July 1, 2024, the commission must develop guidance for use by cities, towns, and counties for a standardized manner and form for display of the summary information related to the proportionality of solid waste rates, fees, and costs that is required under sections 1, 2, and 3 of this act. The guidance must include a standardized methodology for the assessment of the proportionality of rates, fees, and costs by cities, towns, and counties.

(2) Each city, town, and county required to make available summary information under section 1, 2, or 3 of this act must submit the summary information to the commission by January 1, 2025, and within 30 days of each update occurring after January 1, 2025, to the city, town, or county's solid waste rates.

(3) By November 1, 2025, the commission must submit a report to the appropriate committees of the house of representatives and senate identifying:

(a)(i) The number of counties, cities, and towns whose solid waste fees and rates assessed to each class of solid waste customer is determined to be proportionate to the costs of providing service to that class of customers;

(ii) The number of counties, cities, and towns whose solid waste fees and rates assessed to each class of solid waste customer is determined to not be proportionate to the costs of providing service to that class of customers;

(iii) Any cities, counties, or towns that have not reported information to the commission consistent with the requirements of section 1, 2, or 3 of this act;

(b) Best practices for counties, cities, and towns to follow with the aim of ensuring equity and proportionality in the fees and rates assessed to different classes of solid waste customers; and

(c) Any changes to state statutes, rules, or guidance or to local government discretionary practices governing solid waste fees and rates that would increase the equity and proportionality of fees and rates borne by different classes of customers across all local government jurisdictions in Washington.

**--- END ---**