H-0463.1

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**HOUSE BILL 1326**

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

**By** Representatives Cortes, Chopp, Berry, Duerr, Farivar, Morgan, Peterson, Ramel, Ryu, Senn, Simmons, Walen, Mena, Reed, Doglio, Pollet, Springer, and Macri

AN ACT Relating to waiving municipal utility connection charges for certain properties; amending RCW 35.92.380; and adding a new section to chapter 35.92 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 35.92 RCW to read as follows:

(1) Municipal utilities formed under this chapter may waive connection charges for properties used by a nonprofit organization, a public development authority, a housing authority, a local agency, or any other legal entity that provides emergency shelter, transitional housing, permanent supportive housing, or affordable housing.

(2) At such time as a property receiving a waiver under subsection (1) of this section is no longer operating under the eligibility requirements under subsection (1) of this section:

(a) The waiver of connection charges required under subsection (1) of this section is no longer required; and

(b) Any connection charges waived under subsection (1) of this section are immediately due and payable to the utility as a condition of continued service.

(3) For the purposes of this section:

(a) "Affordable housing" has the same meaning as in RCW 36.70A.030.

(b) "Connection charges" means the one-time capital and administrative charges imposed by a utility on a building or facility owner for a new utility service and costs borne or assessed by a utility for the labor, materials, and services necessary to physically connect a designated facility to the respective utility service.

(c) "Emergency shelter" means any facility:

(i) Whose sole purpose is to provide a temporary shelter for the homeless and that does not require occupants to sign a lease or occupancy agreement; and

(ii) That is funded in whole or in part from the state omnibus capital appropriations act, state omnibus operating appropriations act, housing finance commission programs, housing authorities, or local government housing funds.

(d) "Permanent supportive housing" has the same meaning as in RCW 36.70A.030.

(e) "Transitional housing" has the same meaning as in RCW 84.36.043.

**Sec.**  RCW 35.92.380 and 1980 c 150 s 1 are each amended to read as follows:

Whenever a city or town waives or delays collection of tap-in charges, connection fees, or hookup fees for ((~~low income~~)) low-income persons, ((~~or~~)) a class of ((~~low income~~)) low-income persons, or a nonprofit organization, a public development authority, a housing authority, a local agency, or any other legal entity that provides emergency shelter, transitional housing, permanent supportive housing, or affordable housing as defined in section 1 of this act to connect to lines or pipes used by the city or town to provide utility service, the waiver or delay shall be pursuant to a program established by ordinance. As used in this section, the provision of "utility service" includes, but is not limited to, water, sanitary or storm sewer service, electricity, gas, other means of power, and heat.

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