CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1326

Chapter 249, Laws of 2023

68th Legislature 2023 Regular Session

MUNICIPAL UTILITIES—CONNECTION CHARGE WAIVERS

EFFECTIVE DATE: July 23, 2023

Passed by the House April 13, 2023 CERTIFICATE Yeas 84 Nays 12 I, Bernard Dean, Chief Clerk of the House of Representatives of the LAURIE JINKINS State of Washington, do hereby Speaker of the House of certify that the attached is SUBSTITUTE HOUSE BILL 1326 as Representatives passed by the House of Representatives and the Senate on the dates hereon set forth. Passed by the Senate April 6, 2023 Yeas 45 Nays 1 BERNARD DEAN Chief Clerk DENNY HECK President of the Senate Approved May 4, 2023 10:23 AM FILED May 4, 2023

JAY INSLEE

Governor of the State of Washington

Secretary of State State of Washington

SUBSTITUTE HOUSE BILL 1326

AS AMENDED BY THE SENATE

Passed Legislature - 2023 Regular Session

State of Washington

68th Legislature

2023 Regular Session

By House Local Government (originally sponsored by Representatives Cortes, Chopp, Berry, Duerr, Farivar, Morgan, Peterson, Ramel, Ryu, Senn, Simmons, Walen, Mena, Reed, Doglio, Pollet, Springer, and Macri)

READ FIRST TIME 01/31/23.

- 1 AN ACT Relating to waiving municipal utility connection charges
- 2 for certain properties; amending RCW 35.92.380; and adding a new
- 3 section to chapter 35.92 RCW.
- 4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 5 <u>NEW SECTION.</u> **Sec. 1.** A new section is added to chapter 35.92 6 RCW to read as follows:
- 7 (1) Municipal utilities formed under this chapter may waive
- 8 connection charges for properties owned or developed by, or on the
- 9 behalf of, a nonprofit organization, public development authority,
- 10 housing authority, or local agency that provides emergency shelter,
- 11 transitional housing, permanent supportive housing, or affordable
- 12 housing, including a limited partnership as described in RCW
- 13 84.36.560(7)(f)(ii) and a limited liability company as described in
- 14 RCW 84.36.560(7)(f)(iii).
- 15 (2) Connection charges waived under this chapter shall be funded
- 16 using general funds, grant dollars, or other identified revenue
- 17 stream.
- 18 (3) At such time as a property receiving a waiver under
- 19 subsection (1) of this section is no longer operating under the
- 20 eligibility requirements under subsection (1) of this section:

- 1 (a) The waiver of connection charges required under subsection 2 (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.
 - (4) For the purposes of this section:

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- 7 (a) "Affordable housing" has the same meaning as in RCW 8 36.70A.030.
- 9 (b) "Connection charges" means the one-time capital and administrative charges, as authorized in RCW 35.92.025, that are 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.
- 15 (c) "Emergency shelter" means any facility that has, as its sole 16 purpose, the provision of a temporary shelter for the homeless and 17 that does not require occupants to sign a lease or occupancy 18 agreement.
- 19 (d) "Permanent supportive housing" has the same meaning as in RCW 20 36.70A.030.
- 21 (e) "Transitional housing" has the same meaning as in RCW 22 84.36.043.
- 23 **Sec. 2.** RCW 35.92.380 and 1980 c 150 s 1 are each amended to 24 read as follows:

25 Whenever a city or town waives or delays collection of tap-in 26 charges, connection fees, or hookup fees for ((low income)) <u>low-</u> 27 <u>income</u> persons, ((or)) <u>a</u> class of ((low income)) <u>low-income</u> persons, or a nonprofit organization, public development authority, housing 28 authority, or local agency that provides emergency shelter, 29 transitional housing, permanent supportive housing, or affordable 30 31 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 32 or delay shall be pursuant to a program established by ordinance. As 33 used in this section, the provision of "utility service" includes, 34 35 but is not limited to, water, sanitary or storm sewer service, electricity, gas, other means of power, and heat. 36

Passed by the House April 13, 2023. Passed by the Senate April 6, 2023. Approved by the Governor May 4, 2023.

Filed in Office of Secretary of State May 4, 2023.

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