

# HOUSE BILL REPORT

## HB 1607

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*As Passed House  
March 15, 1991*

**Title:** An act relating to liens for delinquent service charges of storm water control facilities and city-owned sewer systems.

**Brief Description:** Providing for liens for delinquent service charges of storm water control facilities and city-owned sewer systems.

**Sponsor(s):** Representatives Horn, Roland and Haugen.

**Brief History:**

Reported by House Committee on:  
Local Government, March 6, 1991, DP;  
Passed House, March 15, 1991, 93-0.

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**HOUSE COMMITTEE ON  
LOCAL GOVERNMENT**

**Majority Report:** *Do pass.* Signed by 15 members: Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

**Staff:** Steve Lundin (786-7127).

**Background:** A variety of local governments are authorized to provide a variety of utility service, impose rates or charges for the service, and possess a lien for delinquent rates or charges on the property on which the rates or charges were imposed. Details vary how these liens are foreclosed, that include limiting the number of days after the date of the initial delinquency where the lien continues to exist, unless the local government files a notice of the lien with the county auditor.

The process for cities and towns to enforce and foreclose sewerage liens includes a limitation that a lien on delinquent sewer service charges exists for only six months without filing a notice of the lien with the county auditor, but that once such a notice has been filed, the lien continues for subsequent delinquent charges but the city or

town must foreclose the lien within two years from the date of filing the notice.

Statutes relating to county storm water utilities reference the enforcement and foreclosure procedures that cities and towns use to enforce and foreclose delinquent sewerage liens.

General law permits the county treasurer to include various non-property tax billings, including notices for utility service charges, along with the notice of property taxes that are due.

**Summary of Bill:** Counties operating storm water utilities may use the procedures by which property taxes are foreclosed for their liens on delinquent storm service charges instead of using the procedures by which cities and towns foreclose delinquent sewer service charges.

Cities and towns may adopt a resolution providing that their liens on delinquent sewer service charges are effective for up to one year before recording a notice of the lien with the county auditor.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This will both save government money and property owners money. Frequently, storm water utility billings for a single annual payment are included along with the notice for property taxes. People often pay one-half of the utility payment along with one-half of their taxes, even though the full utility payment is due in one payment. The old laws force government to file costly notices with county auditors a few weeks before the second payment is made.

**Testimony Against:** None.

**Witnesses:** George Walk, Pierce County; and Mike Doubleday, City of Seattle.