
SENATE BILL 5771

State of Washington 52nd Legislature 1991 Regular Session

By Senators Barr, Sutherland, Nelson and Thorsness.

Read first time February 19, 1991. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to payment responsibility for utility service;
2 amending RCW 35.21.290 and 35.67.200; creating a new section; and
3 providing an effective date.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that policies
6 should be promoted that provide incentives for citizens to act
7 responsibly and pay for those services or products received. The
8 legislature further finds that policies encouraging consumers to pay
9 the full amount owed for utility services will help avoid wasteful use
10 of utility services and help delay increases in the cost of these
11 utility services.

12 **Sec. 2.** RCW 35.21.290 and 1965 c 7 s 35.21.290 are each amended to
13 read as follows:

1 (1) Cities and towns owning their own waterworks, or electric light
2 or power plants shall have a lien against the premises to which water,
3 electric light, or power services were furnished for four months
4 charges therefor due or to become due, but not for any charges more
5 than four months past due: PROVIDED, That the owner of the premises or
6 the owner of a delinquent mortgage thereon may give written notice to
7 the superintendent or other head of such works or plant to cut off
8 service to such premises accompanied by payment or tender of payment of
9 the then delinquent and unpaid charges for such service against the
10 premises together with the cut-off charge, whereupon the city or town
11 shall have no lien against the premises for charges for such service
12 thereafter furnished, nor shall the owner of the premises or the owner
13 of a delinquent mortgage thereon be held for the payment thereof.

14 (2) All charges made for utility services shall be charged to the
15 customer requesting the service. In cases where the service is
16 provided to a tenant, collection of charges shall be made from that
17 individual or individuals, and liens against the property of the
18 landlord for such service are prohibited. A city or town may not
19 refuse to provide service to a residential customer who is a tenant
20 based on the nonpayment for services by the prior customer. The city
21 or town may refuse to provide service if the prior nonpaying customer
22 continues to reside in the premises.

23 (3) Cities and towns owning their own waterworks, or electric light
24 or power plants shall adopt ordinances that require:

25 (a) A satisfactory credit resource or an adequate deposit amount
26 before new customers may receive utility services; and

27 (b) A schedule and procedure for discontinuing utility service to
28 customers delinquent in utility service payments. The ordinances shall
29 provide that the maximum period allowed for nonpayment of utility

1 services prior to utility service termination is seventy-five days
2 after the day the payment is due.

3 **Sec. 3.** RCW 35.67.200 and 1965 c 7 s 35.67.200 are each amended to
4 read as follows:

5 (1) Cities and towns owning their own sewer systems shall have a
6 lien for delinquent and unpaid rates and charges for sewer service,
7 penalties levied pursuant to RCW 35.67.190, and connection charges,
8 including interest thereon, against the premises to which such service
9 has been furnished or is available, which lien shall be superior to all
10 other liens and encumbrances except general taxes and local and special
11 assessments. The city or town by ordinance may provide that delinquent
12 charges shall bear interest at not exceeding eight percent per annum.

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14 customer requesting the service. In cases where the service is
15 provided to a tenant, collection of charges shall be made from that
16 individual or individuals, and liens against the property of the
17 landlord for such service are prohibited. A city or town may not
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27 customers delinquent in utility service payments. The ordinances shall
28 provide that the maximum period allowed for nonpayment of utility

1 services prior to utility service termination is seventy-five days
2 after the day the payment is due.

3 NEW SECTION. **Sec. 4.** This act shall take effect October 1,
4 1991.