

SENATE BILL REPORT

SB 5795

AS OF FEBRUARY 18, 1993

Brief Description: Forbidding cities, towns, or counties from passing laws that will infringe on a business right unless specific guidelines are followed.

SPONSORS: Senators Moore, Amondson and Jesernig

SENATE COMMITTEE ON LABOR & COMMERCE

Staff: Jonathan Seib (786-7427)

Hearing Dates: February 19, 1993

BACKGROUND:

The state imposes few general conditions on the laws adopted by local government. There is concern that this contributes substantially to a confusing and contradictory regulatory system in the state.

SUMMARY:

No city, town or county may adopt a law, the violation which subjects a business to a penalty or sanction, or that establishes, alters, or revokes a standard for the issuance, suspension, or revocation of a license to pursue a commercial activity, trade or profession unless certain conditions are met.

The conditions include: (1) that there be a written record providing clear and convincing evidence that the law is needed, that its benefits are greater than its costs, that there was reasonable justification for rejecting other less intrusive laws which were also considered, and that any fee imposed is reasonable; (2) that the law be clearly and simply stated; (3) that the law not conflict with, duplicate or overlap any other law; (4) that there be a written plan to inform and educate affected parties, to promote voluntary compliance, and to evaluate whether the law achieved its purpose.

Appropriation: none

Revenue: none

Fiscal Note: requested February 17, 1993