

2 **SHB 2671** - S COMM AMD

3 By Committee on Energy, Technology & Telecommunications

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5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 82.16.090 and 1988 c 228 s 1 are each amended to read
8 as follows:

9 (1) The definitions in this subsection apply for the purposes of
10 this section and section 2 of this act.

11 (a) "Business" means a cable television business, light and power
12 business, gas distribution business, or telephone business.

13 (b) "Cable television business" means the business of providing
14 cable service as provided in the federal telecommunications act of
15 1996.

16 (c) "Light and power business" and "gas distribution business" are
17 defined as provided in RCW 82.16.010.

18 (d) "Telephone business" is defined as provided in RCW 82.04.065.

19 (2) Any customer billing issued by a (~~light or power business or~~
20 gas distribution)) business that serves a total of more than twenty
21 thousand customers and operates within the state shall include the
22 following information:

23 ((~~1~~)) (a) The rates and amounts of taxes paid directly by the
24 customer upon products or services rendered by the (~~light and power~~
25 business or gas distribution)) business; and

26 ((~~2~~)) (b) The rate, origin, and (~~approximate~~) amount of each
27 tax levied upon the (~~revenue of the~~) light and power (~~business or~~),
28 gas distribution (~~business and~~), and cable television businesses, or
29 the origin and amount of each tax levied upon telecommunications
30 businesses, added as a component of the amount charged to the customer.
31 Taxes (~~based upon revenue of the light and power business or gas~~
32 distribution)) levied upon the business to be listed on the customer
33 billing need not include taxes levied by the federal government or
34 taxes levied under chapters 54.28, 80.24, or 82.04 RCW.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.32A RCW
2 to read as follows:

3 (1) A business shall establish procedures and remedies for
4 resolving customer complaints regarding the erroneous billing of taxes
5 under RCW 82.16.090 (as recodified by this act).

6 (2) A business shall make reasonable efforts to accurately
7 determine the location of customers for the purpose of billing taxes
8 under RCW 82.16.090 (as recodified by this act).

9 (3) Upon written request of a business, a city or town shall
10 provide in a timely manner copies of any maps, street addresses,
11 geographical information system data bases, or other information in its
12 possession that would assist in determining the location of customers
13 of the business, unless the information would be exempt from public
14 inspection and copying under chapter 42.17 RCW. Information obtained
15 by a business under this subsection may not be used for commercial
16 purposes.

17 (4) A city or town shall notify a business of any annexations at
18 least sixty days before the annexation is effective.

19 (5) Except as provided in subsection (6) of this section, the
20 remedies for erroneous billing of tax amounts shall be the procedures
21 established by businesses as required in subsection (1) of this
22 section.

23 (6) The legislature finds that the practices covered by this
24 chapter are matters vitally affecting the public interest for the
25 purpose of applying the consumer protection act, chapter 19.86 RCW. A
26 pattern of willful violations of this section is not reasonable in
27 relation to the development and preservation of business and is an
28 unfair or deceptive act in trade or commerce and an unfair method of
29 competition for the purpose of applying the consumer protection act,
30 chapter 19.86 RCW.

31 NEW SECTION. **Sec. 3.** RCW 82.16.090 is recodified as a section in
32 chapter 82.32A RCW.

33 NEW SECTION. **Sec. 4.** The requirement under RCW 82.16.090 (as
34 recodified by this act) that cable television and telephone businesses
35 include the rates of taxes on customer billings does not apply to
36 customer billings issued before January 1, 2001."

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4 On page 1, line 1 of the title, after "billings;" strike the
5 remainder of the title and insert "amending RCW 82.16.090; adding new
6 sections to chapter 82.32A RCW; creating a new section; and recodifying
7 RCW 82.16.090."

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