
HOUSE BILL 2102

State of Washington

56th Legislature

1999 Regular Session

By Representatives Mielke, Koster, Boldt, Cairnes, Schindler, Benson and Dunn

Read first time 02/15/1999. Referred to Committee on Local Government.

1 AN ACT Relating to franchise fees imposed upon solid waste
2 businesses and services; amending RCW 35.21.860; and adding a new
3 section to chapter 36.58 RCW.

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

5 **Sec. 1.** RCW 35.21.860 and 1983 2nd ex.s. c 3 s 39 are each amended
6 to read as follows:

7 (1) No city or town may impose a franchise fee or any other fee or
8 charge of whatever nature or description upon the light and power, or
9 gas distribution businesses, as defined in RCW 82.16.010, or telephone
10 business, as defined in RCW 82.04.065, except that (a) a tax authorized
11 by RCW 35.21.865 may be imposed and (b) a fee may be charged to such
12 businesses that recovers actual administrative expenses incurred by a
13 city or town that are directly related to receiving and approving a
14 permit, license, and franchise, to inspecting plans and construction,
15 or to the preparation of a detailed statement pursuant to chapter
16 43.21C RCW.

17 (2) Subsection (1) of this section does not prohibit franchise fees
18 imposed on an electrical energy, natural gas, or telephone business, by
19 contract existing on April 20, 1982, with a city or town, for the

1 duration of the contract, but the franchise fees shall be considered
2 taxes for the purposes of the limitations established in RCW 35.21.865
3 and 35.21.870 to the extent the fees exceed the costs allowable under
4 subsection (1) of this section.

5 (3) Any franchise fee imposed upon solid waste collection or
6 transportation businesses or services shall be limited to the amount
7 necessary to recover actual administrative expenses incurred by a city
8 or town that are directly related to receiving and approving a permit,
9 contract, license, and franchise to a solid waste collection or
10 transportation business or service, to inspecting plans and
11 construction, or to the preparation of a detailed statement pursuant to
12 chapter 43.21C RCW.

13 NEW SECTION. Sec. 2. A new section is added to chapter 36.58 RCW
14 to read as follows:

15 Any franchise fee imposed upon solid waste collection or
16 transportation businesses or services shall be limited to the amount
17 necessary to recover actual administrative expenses incurred by a
18 county that are directly related to receiving and approving a permit,
19 contract, license, and franchise to a solid waste collection or
20 transportation business or service, to inspecting plans and
21 construction, or to the preparation of a detailed statement pursuant to
22 chapter 43.21C RCW.

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