
SENATE BILL 5331

State of Washington 56th Legislature 1999 Regular Session

By Senators Brown, Goings, Patterson, Eide, Winsley and Rasmussen

Read first time 01/20/1999. Referred to Committee on Energy,
Technology & Telecommunications.

1 AN ACT Relating to public utility tax credits for weatherization
2 and energy assistance programs; adding a new section to chapter 82.16
3 RCW; providing an effective date; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 82.16 RCW
6 to read as follows:

7 (1) Unless the context clearly requires otherwise, the definitions
8 in this subsection apply throughout this section.

9 (a) "Qualifying grant" means a grant provided directly, or through
10 the department of community, trade, and economic development, to an
11 organization that has a contractual agreement with the department of
12 community, trade, and economic development to provide low-income energy
13 assistance programs for a specified service area.

14 (b) "Low-income energy assistance programs" means energy assistance
15 programs for low-income households as defined on the effective date of
16 this act by the federal department of health and human services.

17 (c) "Specified service area" means a service area designated by the
18 department of community, trade, and economic development in the state
19 plan for the low-income home energy assistance program.

1 (2) Subject to the limits set forth in this section, a light and
2 power business or a gas distribution business whose application has
3 been approved by the department under this section may take a credit
4 against tax imposed by this chapter for qualifying grants made by the
5 business. The organization shall apply qualifying grants to the low-
6 income energy related program that best meets a community's needs as
7 determined by the organization.

8 (3) The department shall approve an application to the extent all
9 qualifying grants in a state fiscal year for the specified service area
10 do not exceed twenty-four percent of the amount of moneys allotted to
11 nonprofit or governmental organizations within the specified service
12 area in federal fiscal year 1995 under the United States department of
13 health and human services low-income home energy assistance program.
14 The department shall keep a running total of all credits approved in
15 each service area for each state fiscal year. The businesses, the
16 organizations, and the department shall work together to develop a
17 method to track the credit within service areas.

18 (4) Applications for credits under this section shall be made to
19 the department in a form and manner as required by the department. The
20 department shall approve or deny application for credits using the
21 criteria under this section.

22 (5) The credit allowed under this section is limited to the amount
23 of tax imposed by this chapter for the calendar year. Approved credit
24 may not be carried over to subsequent calendar years. The credit must
25 be claimed by the due date of the last tax return for the calendar year
26 in which the payment is made. Any unused credit expires. Refunds
27 shall not be given in place of credits.

28 (6) A person receiving approval must keep records necessary for the
29 department to verify eligibility under this section.

30 (7) In the case of account closures by recipients of low-income
31 energy assistance, the unused portion of energy assistance from
32 qualifying grants to low-income utility customers shall either: (a) To
33 the extent reasonable and cost-effective, be transferred by the utility
34 or organization to the customer's next utility account; or (b) returned
35 to the organization's low-income energy assistance programs.
36 Organizations administering qualifying grants shall notify recipients
37 of the requirements of this subsection.

38 (8) No credit shall be approved for grants made before the
39 effective date of this act.

1 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 July 1, 1999.

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