

1 **HB 2950** - H AMD to H AMD (2950 AMH GRAN H4818.3)

2 By Representative Dunshee

3 On page 5, after line 7 of the amendment, insert the following:

4 "**Sec. 3.** RCW 82.02.090 and 1990 1st ex.s. c 17 s 48 are each
5 amended to read as follows:

6 Unless the context clearly requires otherwise, the following
7 definitions shall apply in RCW 82.02.050 through 82.02.090:

8 (1) "Development activity" means any construction or expansion of
9 a building, structure, or use, any change in use of a building or
10 structure, or any changes in the use of land, that creates additional
11 demand and need for public facilities.

12 (2) "Development approval" means any written authorization from a
13 county, city, or town which authorizes the commencement of development
14 activity.

15 (3) "Impact fee" means a payment of money imposed upon development
16 as a condition of development approval to pay for public facilities
17 needed to serve new growth and development, and that is reasonably
18 related to the new development that creates additional demand and need
19 for public facilities, that is a proportionate share of the cost of the
20 public facilities, and that is used for facilities that reasonably
21 benefit the new development. "Impact fee" does not include a
22 reasonable permit or application fee.

23 (4) "Owner" means the owner of record of real property, although
24 when real property is being purchased under a real estate contract, the
25 purchaser shall be considered the owner of the real property if the
26 contract is recorded.

27 (5) "Proportionate share" means that portion of the cost of public
28 facility improvements that are reasonably related to the service
29 demands and needs of new development.

30 (6) "Project improvements" mean site improvements and facilities
31 that are planned and designed to provide service for a particular
32 development project and that are necessary for the use and convenience
33 of the occupants or users of the project, and are not system
34 improvements. No improvement or facility included in a capital
35 facilities plan approved by the governing body of the county, city, or
36 town shall be considered a project improvement.

1 (7) "Public facilities" means the following capital facilities
2 owned or operated by government entities: (a) Public streets and
3 roads; (b) publicly owned parks, open space, and recreation facilities;
4 (c) school facilities; ~~((and))~~ (d) fire protection facilities in
5 jurisdictions that are not part of a fire district; and (e) criminal
6 justice facilities. For the purposes of this subsection, "criminal
7 justice facilities" means personnel and the construction and expansion
8 of jails, court facilities, juvenile justice facilities, and police
9 facilities.

10 (8) "Service area" means a geographic area defined by a county,
11 city, town, or intergovernmental agreement in which a defined set of
12 public facilities provide service to development within the area.
13 Service areas shall be designated on the basis of sound planning or
14 engineering principles.

15 (9) "System improvements" mean public facilities that are included
16 in the capital facilities plan and are designed to provide service to
17 service areas within the community at large, in contrast to project
18 improvements."

19 Renumber the remaining sections consecutively and correct internal
20 references accordingly.

21 Correct the title.

EFFECT: Adds criminal justice facilities to the list of public facilities for which a local government can charge impact fees. Defines criminal justice facilities to include personnel and the construction and expansion of jails, court facilities, juvenile justice facilities, and police facilities.