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**Agriculture & Natural  
Resources Committee**

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**HB 2088**

**Brief Description:** Revising provisions relating to storm water rates and charges.

**Sponsors:** Representatives Schoesler, Chandler and Linville.

**Brief Summary of Bill**

- Requires local governments operating storm water sewer facilities to reduce rates and charges by a minimum of 10 percent for any new or remodeled commercial building that utilizes the permissive rainwater harvesting system guidelines for nonresidential occupancies adopted by the Washington State Building Code Council on July 12, 2002.
- Prohibits local governments operating storm water sewer facilities from increasing rates and charges in any fiscal year in excess of the state fiscal growth factor for that fiscal year.
- Prohibits counties from imposing storm water sewer system rates and charges on lands taxed as either forest land or as timber land according to state law.

**Hearing Date:** 3/4/03

**Staff:** Caroleen Dineen (786-7156).

**Background:**

Storm water sewer facilities may be operated by a variety of local governments, including counties, cities, towns, and water-sewer districts. Generally, these entities' authority to operate these systems includes the power to construct, acquire, maintain and operate sites and facilities for storm water drainage. These local governments generally are given full authority to establish the rates and charges for the service and facilities.

According to state law, rates and charges must be uniform for the same class of customers or service and facility. However, state statutes specify a variety of factors that may be considered when developing these rates and charges, including:

- services furnished;

- benefits received;
- land's character, use, or water runoff characteristics;
- land user's nonprofit public benefit status;
- land user's income level; or
- other matters which present a reasonable difference as a ground for distinction.

The Washington State Building Code Council adopted permissive rainwater harvesting system guidelines for nonresidential occupancies in July 2002.

**Summary of Bill:**

Local governments operating storm water sewer facilities must reduce rates and charges by a minimum of 10 percent for any new or remodeled commercial building that utilizes the permissive rainwater harvesting system guidelines for nonresidential occupancies adopted by the Washington State Building Code Council on July 12, 2002. In addition, the rates and charges imposed for storm water sewer services may not increase in any fiscal year in excess of the state fiscal growth factor for that fiscal year. These provisions are included in storm water sewer facilities statutes applicable to counties, cities, towns, water-sewer districts, and county flood control zone districts.

Counties are prohibited from imposing storm water sewer system rates and charges on lands taxed as either forest land or as timber land according to state law. Provisions specifying this prohibition are included in county storm water sewer system and forest land valuation and assessments statutes.

**Appropriation:** None.

**Fiscal Note:** Requested on March 3, 2003.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.