

SENATE BILL REPORT

ESHB 1524

As Reported By Senate Committee On:
Financial Services, Insurance & Housing, March 27, 2003

Title: An act relating to restricting utility assessments and charges for certain mobile home parks.

Brief Description: Restricting utility assessments and charges for certain mobile home parks.

Sponsors: House Committee on Local Government (originally sponsored by Representatives Schindler, Romero, Crouse, Mielke, Cox, O'Brien, Benson, Berkey, Ericksen, Jarrett, Ahern and Rockefeller).

Brief History:

Committee Activity: Financial Services, Insurance & Housing: 3/27/03 [DP].

SENATE COMMITTEE ON FINANCIAL SERVICES, INSURANCE & HOUSING

Majority Report: Do pass.

Signed by Senators Benton, Chair; Winsley, Vice Chair; Keiser, Prentice, Roach and Zarelli.

Staff: Elizabeth Mitchell (786-7430)

Background: There is concern that some mobile home parks may be required to pay utility fees even though the parks are not connected to utilities.

Summary of Bill: A city, town, county, local improvement district, utility local improvement district, municipal corporation, political subdivision, or any other person, firm, or corporation cannot require a mobile home park to pay a sewer availability charge, standby charge, or any other similar type of charge, including penalties for nonpayment of these charges, until the mobile home park actually connects to that utility. This provision applies retroactively.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: There has not been good faith compliance with an earlier piece of legislation related to this bill. Legislation can be retroactive when it is curative and remedial in nature. This bill is an issue of fairness: people should not have to pay for what they are not using.

Testimony Against: We respect that the sponsors are trying to deal with a specific situation that occurred in Spokane. However, the retroactivity provision in the bill causes concern.

It is possible that, due to the retroactive nature of the bill, people not involved in the Spokane situation could claim that cities owe them money. The term availability charges is broad and can encompass many things.

Testified: Bob Mack, City of Spokane (con); Victoria Lincoln, AWC (con); Ken Spencer, John Woodring, MHCW (pro); Ray Munson, MHOA (pro); Steve Lindstrom, Sno-King Water District (con).