
SUBSTITUTE HOUSE BILL 1007

State of Washington 58th Legislature 2003 Regular Session

By House Committee on State Government (originally sponsored by Representatives Morris, Linville, Conway, Sullivan and Upthegrove)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to a permitting bill of rights; and adding a new
2 section to chapter 1.20 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 1.20 RCW
5 to read as follows:

6 (1) The legislature finds that permits and licensing programs have
7 been legislatively established to protect the health, welfare, economy,
8 and environment of Washington's citizens and to provide a fair,
9 competitive opportunity for business innovation and consumer
10 confidence. The legislature also finds that uncertainty in government
11 processes to permit or license an activity by a citizen of Washington
12 state is undesirable and erodes confidence in government. The
13 legislature further finds that information about the permitting and
14 licensing process is critical for an applicant's planning and financial
15 assessment of the proposed project. The legislature also finds that
16 applicants have a responsibility to provide complete and accurate
17 information.

18 (2) Citizens of the state of Washington have the right to know the

1 following information when applying for a permit, license, or
2 authorization to engage in a lawful activity:

3 (a) Right to know the minimum and maximum time required by an
4 agency for a decision on a permit or license, including public comment
5 requirements;

6 (b) Right to know the minimum and maximum amount of information
7 required for an agency to make a decision on a permit or license;

8 (c) Right to know when an agency considers an application complete
9 for processing;

10 (d) Right to know the minimum and maximum costs in agency fees that
11 will be incurred by the permit or license applicant; and

12 (e) Right to know the reasons for a denial of a permit or license
13 in writing.

14 (3) In providing this information to applicants, an agency shall
15 base estimates on the best information available about the permitting
16 or licensing program and prior applications for similar permits, and
17 shall also base these estimates on the information provided by the
18 applicant. New information provided by the applicant subsequent to the
19 agency estimates may change the information provided in subsection (2)
20 of this section. Project modifications may result in more time, more
21 information, or more costs being required for permit or license
22 processing. Cost information provided by agencies is not required to
23 include costs for work performed by the private sector on behalf of the
24 applicant.

25 (4) This section does not create an independent cause of action,
26 affect any existing cause of action, or establish time limits for
27 purposes of RCW 64.40.020.

28 (5) State permitting and licensing agencies shall track the
29 progress in meeting the information requirements established under
30 subsection (2) of this section. Beginning on or before December 31,
31 2004, each state permitting and licensing agency shall prepare an
32 annual report of its performance for the preceding fiscal year. The
33 report shall be posted on its web site and provided to the appropriate
34 standing committees of the senate and house of representatives. In
35 addition to general information regarding the performance of the agency
36 for the preceding fiscal year, the report shall include:

37 (a) Information regarding the minimum and maximum time required by
38 an agency for a decision on a permit, license, or authorization;

1 (b) The minimum and maximum amount of agency fees incurred by
2 applicants by permit type; and

3 (c) A summation of the reasons for denial for each type of permit,
4 license, or authorization.

5 (6) These rights apply to state permits, licenses, or other legal
6 authorizations. This section does not apply to those licenses in which
7 the only requirement of the applicant is to submit a fee and the
8 license is received.

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