

# SENATE BILL REPORT

## HB 2110

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As Reported By Senate Committee On:  
Government Operations & Elections, February 26, 2008

**Title:** An act relating to allowing all fire protection facilities to use impact fees.

**Brief Description:** Allowing all fire protection facilities to use impact fees.

**Sponsors:** Representatives Simpson, Ericks, Dunshee, Sullivan and Ormsby.

**Brief History:** Passed House: 2/18/08, 60-35.

**Committee Activity:** Government Operations & Elections: 2/25/08, 2/26/08 [DP, DNP].

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** Do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Kline, McDermott and Pridemore.

**Minority Report:** Do not pass.

Signed by Senators Roach, Ranking Minority Member; Benton and Swecker.

**Staff:** Khalia Gibson (786-7460)

**Background:** Counties, cities, and towns that are required or choose to plan under the Growth Management Act (GMA) may impose impact fees on development activity as part of the financing for public facilities needed to serve new growth and development. The impact fees: (1) may only be imposed for system improvements that are reasonably related to the new development; (2) may not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development; and (3) must be used for system improvements that will reasonably benefit the new development.

Impact fees may be collected and spent only for qualifying public facilities. Public facilities are defined as the following capital facilities which are owned or operated by government entities: public streets and roads; publicly owned parks, open space, and recreation facilities; school facilities; and fire protection facilities in jurisdictions that are not part of a fire district.

Public facilities for which impact fees may be spent must be included in a capital facilities plan element of a comprehensive plan adopted under the GMA.

**Summary of Bill:** The authority of a government entity to use impact fees for the funding of fire protection facilities is expanded to include all fire protection facilities, including those located within a fire district.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** PRO: There is a fairness issue that needs to be addressed. A non-municipal urban growth area requires the fire district to provide a new level of service. New homes will cause a population increase of 5,000, which will cause the district to build a new fire station. Growth creates hardships on fire protection facilities. There is no money or staff to respond to emergencies, and this bill would correct the imbalance. Covington cannot assess impact fees, and should be able to because there is a need to upgrade facilities like other areas and there is no funding to do so. Mostly cities on the edge of older cities impose impact fees, not large cities like Seattle. Impact fees are only for capital facilities, not personnel costs, which by law cannot be covered by the impact fees.

CON: Land regulations have caused home prices to increase \$200,000, and passing this legislation would increase the cost of housing even more. Impact fees are regressive and hit low income families and first time home buyers the hardest.

**Persons Testifying:** PRO: Tom Fields, Whatcom County Fire Protection District #21; Jim Schneider, King County Fire District #37; Jon Sitkin, private developer; Dave Williams, Association of Washington Cities; Bud Sizemore, Washington State Council of Firefighters.

CON: Andrew Cook, Building Industry Association of Washington.