
HOUSE BILL 1133

State of Washington

64th Legislature

2015 Regular Session

By Representatives Tharinger, Muri, Reykdal, Fitzgibbon, Lytton, Jinkins, Cody, Moscoso, Dunshee, Gregerson, Johnson, Ryu, and Pollet

Read first time 01/14/15. Referred to Committee on Local Government.

1 AN ACT Relating to authorizing counties to impose a public
2 utility tax; and adding a new chapter to Title 82 RCW.

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

4 NEW SECTION. **Sec. 1.** (1) Subject to the conditions and
5 requirements of this section, a county may impose an excise tax on
6 the privilege of engaging in business as a utility. The tax is equal
7 to the gross income of the utility derived from providing service to
8 consumers within the county multiplied by the rate provided in
9 subsection (3) of this section. A county may submit a ballot
10 proposition to the voters to seek voter approval to impose the tax
11 authorized under this section, but is not required to do so.

12 (2) A county may not impose a rate of tax that exceeds six
13 percent.

14 (3) A utility subject to tax under this section must add the tax
15 to the rates or charges it makes for utility services and separately
16 state the amount of tax on billings.

17 (4) A county may initially impose the tax authorized under this
18 section only on the first day of a calendar quarter and no sooner
19 than seventy-five days from the date the county adopts the ordinance
20 or resolution imposing the tax.

1 (5) A county may provide exemptions for sales by utilities to
2 business customers, such as manufacturing facilities, aircraft repair
3 facilities, industrial parks, industrial facilities, farm businesses,
4 and computer data centers. A county may not provide a general
5 exemption for sales by utilities to residential customers unless
6 business customers are also exempt.

7 (6) A county must allow a credit against the tax imposed under
8 the authority of this section for the amount of any similar utility
9 tax imposed by a city or town on the same taxable event. The credit
10 required by this subsection may not exceed the amount of tax
11 otherwise due.

12 NEW SECTION. **Sec. 2.** The definitions in this section apply
13 throughout this chapter unless the context clearly requires
14 otherwise.

15 (1) "Cable service utility" means a person providing cable
16 service as defined in the federal telecommunications act of 1996.

17 (2) "Electrical power utility" means a light and power business
18 as defined in RCW 82.16.010.

19 (3) "Gas utility" means a gas distribution business as defined in
20 RCW 82.16.010.

21 (4) "Gross income" has the same meaning as provided in RCW
22 82.16.010.

23 (5) "Sewer utility" means a sewerage collection business as that
24 term is used in chapter 82.16 RCW.

25 (6) "Solid waste utility" means a solid waste collection business
26 as defined in RCW 82.18.010.

27 (7) "Telephone utility" means a person providing
28 telecommunications service as defined in RCW 82.04.065.

29 (8) "Utility" means an electrical power utility, gas utility,
30 telephone utility, water utility, sewer utility, solid waste utility,
31 or cable service utility.

32 (9) "Water utility" means a water distribution business as
33 defined in RCW 82.16.010.

34 NEW SECTION. **Sec. 3.** Sections 1 and 2 of this act constitute a
35 new chapter in Title 82 RCW to be codified as chapter 82.16A RCW.

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