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**SUBSTITUTE SENATE BILL 6121**

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**State of Washington**                      **65th Legislature**                      **2018 Regular Session**  
**By** Senate Local Government (originally sponsored by Senator Honeyford)

READ FIRST TIME 01/25/18.

1            AN ACT Relating to the siting of institutions of higher education  
2 and accompanying facilities; and adding a new section to chapter  
3 36.70A RCW.

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

5            NEW SECTION.    **Sec. 1.**    A new section is added to chapter 36.70A  
6 RCW to read as follows:

7            (1) This chapter does not prohibit a county planning under RCW  
8 36.70A.040 that meets the requirements of subsection (2) of this  
9 section from authorizing the extension of public facilities and  
10 utilities to serve a privately operated institution of higher  
11 education, located on a federally recognized Indian reservation, that  
12 serves fewer than two thousand students sited within three miles of  
13 an urban growth area so long as the following requirements are met:

14            (a) The applicable board of directors has adopted a policy  
15 addressing the institution's needs;

16            (b) The county and all affected cities agree to the extension of  
17 public facilities and utilities to serve the institution;

18            (c) If the public facility or utility is extended beyond the  
19 urban growth area to serve an institution, the public facility or  
20 utility must serve only the institution and the costs of such  
21 extension must be borne by the institution based on a reasonable

1 nexus to the impacts of the institution except as provided in  
2 subsection (4) of this section; and

3 (d) Any impacts associated with the siting of the institution are  
4 mitigated as required by the state environmental policy act, chapter  
5 43.21C RCW.

6 (2) This section applies only to a county planning under RCW  
7 36.70A.040 that:

8 (a) Has a population greater than two hundred thousand but less  
9 than three hundred thousand persons as determined by the 2010 federal  
10 decennial census; and

11 (b) Is located east of the crest of the Cascade mountain range.

12 (3) This chapter does not prohibit either the expansion or  
13 modernization of an existing institution of higher education.

14 (4) Where a public facility or utility has been extended beyond  
15 the urban growth area to serve an institution, the public facility or  
16 utility may, where consistent with RCW 36.70A.110(4), serve a  
17 property or properties owned in fee simple, adjacent to the utility  
18 line, containing structures on the effective date of this section,  
19 whose septic system has failed if the property owner so requests,  
20 provided that the county and all affected cities agree with the  
21 request. In such an instance, the institution may, for a period not  
22 to exceed twenty years, require reimbursement from a requesting  
23 property owner for a proportional share of the construction costs  
24 incurred by the institution for the extension of the public facility  
25 or utility. Nothing in this chapter shall prohibit connection to the  
26 utility line by any trust land by request of the tribal government.

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