
SUBSTITUTE HOUSE BILL 1567

State of Washington

66th Legislature

2019 Regular Session

By House Environment & Energy (originally sponsored by Representatives Doglio, Fey, Peterson, Riccelli, Fitzgibbon, Appleton, Jinkins, and Macri; by request of Department of Ecology)

READ FIRST TIME 04/02/19.

1 AN ACT Relating to the sale and installation of solid fuel
2 burning devices; and amending RCW 70.94.483.

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

4 **Sec. 1.** RCW 70.94.483 and 2003 1st sp.s. c 25 s 932 are each
5 amended to read as follows:

6 (1) The woodstove education and enforcement account is hereby
7 created in the state treasury. Money placed in the account shall
8 include all money received under subsection (2) of this section and
9 any other money appropriated by the legislature. Money in the account
10 shall be spent for the purposes of the woodstove education program
11 established under RCW 70.94.480 and for enforcement of the woodstove
12 program, and shall be subject to legislative appropriation.
13 ~~((However, during the 2003-05 fiscal biennium, the legislature may
14 transfer from the woodstove education and enforcement account to the
15 air pollution control account such amounts as specified in the
16 omnibus operating budget bill.))~~ The department may adopt by rule a
17 process to distribute the money in the account for the purposes of
18 woodstove education and enforcement.

19 (2) ~~((The department of ecology, with the advice of the advisory
20 committee, shall set))~~ A flat fee of thirty dollars((,r)) must be
21 assessed on the retail sale, as defined in RCW 82.04.050, of each

1 solid fuel burning device (~~(after January 1, 1992)~~). Beginning
2 January 1, 2020, the fee increases to fifty dollars per solid fuel
3 burning device. The fee shall be imposed upon the consumer and shall
4 not be subject to the retail sales tax provisions of chapters 82.08
5 and 82.12 RCW. (~~(The fee may be adjusted annually above thirty~~
6 ~~dollars to account for inflation as determined by the state office of~~
7 ~~the economic and revenue forecast council.)~~) The department shall
8 establish by rule a process for the purpose of determining periodic
9 increases to the fee in order to account for inflation and costs
10 associated with the woodstove education and enforcement program. The
11 process must include input from industry, local air pollution control
12 agencies, environmental groups, and other stakeholders, and must
13 include a review of program costs. The order of adoption by which
14 rules are adopted pursuant to this subsection must be issued prior to
15 December 1 of any year and such rules may not take effect before the
16 end of the regular legislative session of the following year. The fee
17 shall be collected by the department of revenue in conjunction with
18 the retail sales tax under chapter 82.08 RCW. If the seller fails to
19 collect the fee herein imposed or fails to remit the fee to the
20 department of revenue in the manner prescribed in chapter 82.08 RCW,
21 the seller shall be personally liable to the state for the amount of
22 the fee. The collection provisions of chapter 82.32 RCW shall apply.
23 The department of revenue shall deposit fees collected under this
24 section in the woodstove education and enforcement account.

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