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**SUBSTITUTE HOUSE BILL 1326**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** House Local Government (originally sponsored by Representatives Cortes, Chopp, Berry, Duerr, Farivar, Morgan, Peterson, Ramel, Ryu, Senn, Simmons, Walen, Mena, Reed, Doglio, Pollet, Springer, and Macri)

1 AN ACT Relating to waiving municipal utility connection charges  
2 for certain properties; amending RCW 35.92.380; and adding a new  
3 section to chapter 35.92 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 35.92  
6 RCW to read as follows:

7 (1) Municipal utilities formed under this chapter may waive  
8 connection charges for properties owned or developed by, or on the  
9 behalf of, a nonprofit organization, public development authority,  
10 housing authority, or local agency that provides emergency shelter,  
11 transitional housing, permanent supportive housing, or affordable  
12 housing, including a limited partnership as described in RCW  
13 84.36.560(7)(f)(ii) and a limited liability company as described in  
14 RCW 84.36.560(7)(f)(iii).

15 (2) Connection charges waived under this chapter shall be funded  
16 using general funds, grant dollars, or other identified revenue  
17 stream.

18 (3) At such time as a property receiving a waiver under  
19 subsection (1) of this section is no longer operating under the  
20 eligibility requirements under subsection (1) of this section:

1 (a) The waiver of connection charges required under subsection  
2 (1) of this section is no longer required; and

3 (b) Any connection charges waived under subsection (1) of this  
4 section are immediately due and payable to the utility as a condition  
5 of continued service.

6 (4) For the purposes of this section:

7 (a) "Affordable housing" has the same meaning as in RCW  
8 36.70A.030.

9 (b) "Connection charges" means the one-time capital and  
10 administrative charges imposed by a utility on a building or facility  
11 owner for a new utility service and costs borne or assessed by a  
12 utility for the labor, materials, and services necessary to  
13 physically connect a designated facility to the respective utility  
14 service.

15 (c) "Emergency shelter" means any facility that has, as its sole  
16 purpose, the provision of a temporary shelter for the homeless and  
17 that does not require occupants to sign a lease or occupancy  
18 agreement.

19 (d) "Permanent supportive housing" has the same meaning as in RCW  
20 36.70A.030.

21 (e) "Transitional housing" has the same meaning as in RCW  
22 84.36.043.

23 **Sec. 2.** RCW 35.92.380 and 1980 c 150 s 1 are each amended to  
24 read as follows:

25 Whenever a city or town waives or delays collection of tap-in  
26 charges, connection fees, or hookup fees for ((~~low-income~~)) low-  
27 income persons, ((~~or~~)) a class of ((~~low-income~~)) low-income persons,  
28 or a nonprofit organization, public development authority, housing  
29 authority, or local agency that provides emergency shelter,  
30 transitional housing, permanent supportive housing, or affordable  
31 housing as defined in section 1 of this act to connect to lines or  
32 pipes used by the city or town to provide utility service, the waiver  
33 or delay shall be pursuant to a program established by ordinance. As  
34 used in this section, the provision of "utility service" includes,  
35 but is not limited to, water, sanitary or storm sewer service,  
36 electricity, gas, other means of power, and heat.

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