

# SENATE BILL REPORT

## SB 6683

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As of February 4, 2004

**Title:** An act relating to duties of utilities to serve.

**Brief Description:** Specifying the duty of publicly owned utilities to serve within their service areas.

**Sponsors:** Senator Mulliken.

**Brief History:**

**Committee Activity:** Land Use & Planning: 2/5/04.

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### SENATE COMMITTEE ON LAND USE & PLANNING

**Staff:** Andrea McNamara (786-7483)

**Background:** Current law authorizes cities, towns, and municipal utilities to provide water and sewer service outside the boundaries of their jurisdiction. Extension of such services may be subject to potential review by a boundary review board, and utilities may charge property owners connection charges under certain circumstances.

Concerns have been raised about the efforts of some municipal water and sewer providers attempting to impose land use, development, or design requirements as a condition of providing service outside their boundaries, when those conditions are different from or not required by the local government with jurisdiction over the property.

**Summary of Bill:** Cities, towns, municipal utilities, and code cities are all prohibited, when providing water or sewer services outside the corporate boundaries of the jurisdiction, from imposing, demanding, or negotiating certain conditions, including the following: (1) lot sizes different from those provided by the jurisdiction with zoning authority over the property; or (2) other development or design requirements not required by the local government with jurisdiction over the property.

Conditions may be imposed by the cities, towns, municipal utilities, and code cities providing water or sewer services outside their boundaries if the conditions are necessary to the proper functioning of the service. In such cases, the burden of proof is on the jurisdiction seeking to impose the condition.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect on July 1, 2004.