
HOUSE BILL 1264

State of Washington

68th Legislature

2023 Regular Session

By Representative Walen

1 AN ACT Relating to encouraging equitable treatment for different
2 categories of solid waste utility customer under local solid waste
3 collection rates; adding a new section to chapter 36.58 RCW; adding a
4 new section to chapter 35.21 RCW; adding a new section to chapter
5 35A.21 RCW; and adding a new section to chapter 81.77 RCW.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.58
8 RCW to read as follows:

9 (1) Each county must, for the portion of the jurisdiction that is
10 subject to solid waste collection rates regulated under chapter 81.77
11 RCW, make available on the county's solid waste website summary
12 information, in a form and manner prescribed by the Washington state
13 utilities and transportation commission consistent with section 4 of
14 this act, detailing:

15 (a) Whether the fee and rate costs borne by single-family
16 residential customers, as a class of customer, are proportionate to
17 the costs of providing services to single-family residential
18 customers;

19 (b) Whether the fee and rate costs borne by multifamily
20 residential customers, as a class of customer, are proportionate to
21 the costs of providing services to multifamily residential customers;

1 (c) Whether the fee and rate costs borne by commercial customers,
2 as a class of customer, are proportionate to the costs of providing
3 services to commercial customers; and

4 (d) An explanation of why fees and rates have been fixed in a
5 manner that does not result in proportionate costs, if any classes of
6 customers are determined by the county not to pay fees and rates
7 proportionate to the costs of providing services to that class of
8 customers.

9 (2) The summary information required under subsection (1) of this
10 section must be submitted to the Washington state utilities and
11 transportation commission consistent with section 4 of this act.

12 (3) The summary information made available under subsection (1)
13 of this section must be updated upon the adoption of changes to the
14 county's solid waste rates.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.21
16 RCW to read as follows:

17 (1) Each city or town that provides solid waste handling under
18 this chapter must make available on the city's solid waste website
19 summary information, in a form and manner prescribed by the
20 Washington state utilities and transportation commission consistent
21 with section 4 of this act, detailing:

22 (a) Whether the fee and rate costs borne by single-family
23 residential customers, as a class of customer, are proportionate to
24 the costs of providing services to single-family residential
25 customers;

26 (b) Whether the fee and rate costs borne by multifamily
27 residential customers, as a class of customer, are proportionate to
28 the costs of providing services to multifamily residential customers;

29 (c) Whether the fee and rate costs borne by commercial customers,
30 as a class of customer, are proportionate to the costs of providing
31 services to commercial customers; and

32 (d) An explanation of why fees and rates have been fixed in a
33 manner that does not result in proportionate costs, if any classes of
34 customers are determined by the city not to pay fees and rates
35 proportionate to the costs of providing services to that class of
36 customers.

37 (2) The summary information required under subsection (1) of this
38 section must be submitted to the Washington state utilities and
39 transportation commission consistent with section 4 of this act.

1 (3) The summary information made available under subsection (1)
2 of this section must be updated upon the adoption of changes to the
3 city's solid waste rates.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.21
5 RCW to read as follows:

6 (1) Each city that provides solid waste handling under this
7 chapter must make available on the city's solid waste website summary
8 information, in a form and manner prescribed by the Washington state
9 utilities and transportation commission consistent with section 4 of
10 this act, detailing:

11 (a) Whether the fee and rate costs borne by single-family
12 residential customers, as a class of customer, are proportionate to
13 the costs of providing services to single-family residential
14 customers;

15 (b) Whether the fee and rate costs borne by multifamily
16 residential customers, as a class of customer, are proportionate to
17 the costs of providing services to multifamily residential customers;

18 (c) Whether the fee and rate costs borne by commercial customers,
19 as a class of customer, are proportionate to the costs of providing
20 services to commercial customers; and

21 (d) An explanation of why fees and rates have been fixed in a
22 manner that does not result in proportionate costs, if any classes of
23 customers are determined by the city not to pay fees and rates
24 proportionate to the costs of providing services to that class of
25 customers.

26 (2) The summary information required under subsection (1) of this
27 section must be submitted to the Washington state utilities and
28 transportation commission consistent with section 4 of this act.

29 (3) The summary information made available under subsection (1)
30 of this section must be updated upon the adoption of changes to the
31 city's solid waste rates.

32 NEW SECTION. **Sec. 4.** A new section is added to chapter 81.77
33 RCW to read as follows:

34 (1) By July 1, 2024, the commission must develop guidance for use
35 by cities, towns, and counties for a standardized manner and form for
36 display of the summary information related to the proportionality of
37 solid waste rates, fees, and costs that is required under sections 1,
38 2, and 3 of this act. The guidance must include a standardized

1 methodology for the assessment of the proportionality of rates, fees,
2 and costs by cities, towns, and counties.

3 (2) Each city, town, and county required to make available
4 summary information under section 1, 2, or 3 of this act must submit
5 the summary information to the commission by January 1, 2025, and
6 within 30 days of each update occurring after January 1, 2025, to the
7 city, town, or county's solid waste rates.

8 (3) By November 1, 2025, the commission must submit a report to
9 the appropriate committees of the house of representatives and senate
10 identifying:

11 (a)(i) The number of counties, cities, and towns whose solid
12 waste fees and rates assessed to each class of solid waste customer
13 is determined to be proportionate to the costs of providing service
14 to that class of customers;

15 (ii) The number of counties, cities, and towns whose solid waste
16 fees and rates assessed to each class of solid waste customer is
17 determined to not be proportionate to the costs of providing service
18 to that class of customers;

19 (iii) Any cities, counties, or towns that have not reported
20 information to the commission consistent with the requirements of
21 section 1, 2, or 3 of this act;

22 (b) Best practices for counties, cities, and towns to follow with
23 the aim of ensuring equity and proportionality in the fees and rates
24 assessed to different classes of solid waste customers; and

25 (c) Any changes to state statutes, rules, or guidance or to local
26 government discretionary practices governing solid waste fees and
27 rates that would increase the equity and proportionality of fees and
28 rates borne by different classes of customers across all local
29 government jurisdictions in Washington.

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