



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: February 21, 2018

TIME: 7:55 AM

WSR 18-05-090

Agency: Department of Health

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) 07/01/2018 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: WAC 246-360-990 Transient Accommodations Fees. The fees for transient accommodations are increased by 21.07 percent to offset the cost to administer the transient accommodations program.

Citation of rules affected by this order:

New: None

Repealed: None

Amended: WAC 246-360-990

Suspended: None

Statutory authority for adoption: RCW 43.70.110, RCW 43.70.250, RCW 70.62.220

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 17-20-049 on 09/29/2017 (date).

Describe any changes other than editing from proposed to adopted version: Based on comments received from interested parties, the department reduced the amount of the proposed increase from 29.3% to 21.07%. The department also eliminated a refund of less than ten dollars because the calculation of a refund based on two-thirds or one-third of the application fee under WAC 246-360-990 (2)(a) or (b) would not result in ten dollars or less.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

The number of sections adopted at the request of a nongovernmental entity:

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted in the agency's own initiative:

New	<u>0</u>	Amended	<u>1</u>	Repealed	<u>0</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted using:

Negotiated rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>0</u>	Amended	<u>1</u>	Repealed	<u>0</u>

Date Adopted: 02/20/2018

Name: Clark Halvorson

Title: Assistant Secretary

Signature:



WAC 246-360-990 Fees. (1) ~~((The))~~ To apply for a transient accommodation initial license or to renew an annual license, an applicant or licensee ~~((or applicant))~~ must submit ~~((:~~ ~~(a))~~ an initial or annual license renewal fee according to the following schedule:

NUMBER OF LODGING UNITS	FEE
3 - 10	\$(164.10)) <u>198.00</u>
11 - 49	\$(326.30)) <u>395.00</u>
50 - over	\$(657.00)) <u>795.00</u>

~~((b)-A))~~ (2) If the department does not receive the license renewal application and fee on or before the expiration date, a licensee must submit an additional late fee of ~~((fifty four dollars and sixty cents, in addition to the full license renewal fee, if the full license renewal fee is not received by the department on the expiration date (see RCW 70.62.260);~~

~~(c)~~ An additional ~~((~~ sixty-six dollars.

(3) If the licensee notifies the department of a change in the number of lodging units or the name of the transient accommodation in accordance with WAC 246-360-020(9), the licensee must submit an amended license fee of ~~((fifty four dollars and sixty cents for an amended license due to changing the number of lodging units or the name of the transient accommodation.~~

~~(2))~~ sixty-six dollars.

(4) The department shall refund fees paid by the applicant for initial licensure as follows:

(a) If an application has been received but no on-site survey or technical assistance has been performed by the department, two-thirds of the fees paid, less a fifty dollar processing fee.

(b) If an application has been received and an on-site survey or technical assistance has been performed by the department, one-third of the fees paid, less a fifty dollar processing fee.

~~((c)-No))~~ (5) The department will not refund fees paid by the applicant ~~((will be refunded))~~ if any of the following applies:

~~((i))~~ (a) More than one on-site visit for any purpose has been performed by the department; or

~~((ii))~~ (b) One year has elapsed since an initial licensure application is received by the department, but no license is issued because the applicant failed to complete the requirements for licensure~~((:~~ ~~or~~

~~(iii)~~ The amount to be refunded as calculated by (a) or (b) of this subsection is ten dollars or less).