RULE-MAKING ORDER

CR-103E (July 2011)
(Implements RCW 34.05.350)

Agency: Department of Revenue

Emergency Rule Only

Effective date of rule:
Emergency Rules
☒ Immediately upon filing.
☐ Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
☐ Yes ☒ No If Yes, explain:

Purpose:
SHB 2017, Chapter 298, Laws of 2011, transferred responsibility for the master license service (MLS) program from the Department of Licensing to the Department of Revenue, effective July 1, 2011. This program is now referred to as the business licensing service (BLS).

This legislation requires that the application and renewal handling fees be established by rule. The Department adopted a permanent rule providing these rules, WAC 308-300-160 on January 30, 2012 (WSR 12-04-060). This rule becomes effective March 1, 2012, and at that time will be re-codified as WAC 458-20-10101. The Department is at this time adopting the rule as an emergency rule to provide the handling fees during the interim period.

Citation of existing rules affected by this order:
Repealed:
Amended: **WAC 308-300-160** ***Business licensing service—Total fee payable—Handling of fees***
Suspended:

Statutory authority for adoption: RCW 19.02.020 and 19.02.075, as amended by chapter 298, Laws of 2011

Other authority : None

EMERGENCY RULE
Under RCW 34.05.350 the agency for good cause finds:
☒ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
☐ That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: **An emergency adoption of this rule is necessary because the permanent rule is not effective until March 1, 2012.**

Date adopted:
February 9, 2012

NAME
Alan R. Lynn

SIGNATURE
Alan R Lynn

TITLE
Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: February 09, 2012
TIME: 11:45 AM

WSR 12-05-036

(COMPLETE REVERSE SIDE)

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	0	Amended	0	Repealed	0
Federal rules or standards:	New	0	Amended	0	Repealed	0
Recently enacted state statutes:	New	1	Amended	0	Repealed	0

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

New 0 Amended 0 Repealed 0

The number of sections adopted in the agency's own initiative:

New 1 Amended 0 Repealed 0

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New 0 Amended 0 Repealed 0

The number of sections adopted using:

Negotiated rule making:	New	0	Amended	0	Repealed	0
Pilot rule making:	New	0	Amended	0	Repealed	0
Other alternative rule making:	New	0	Amended	0	Repealed	0

This rule was adopted on an emergency basis effective February 9, 2012. It may be used to determine tax liability until March 1, 2012. For periods on or after see 458-20-10101.

AMENDATORY SECTION (Amending WSR 10-13-039, filed 6/8/10, effective 7/9/10)

WAC 308-300-160 Business licensing service--Total fee payable--Handling of fees. (1) **Introduction.** Chapter 298, Laws of 2011, transferred responsibility for the master license service program (MLS) from the department of licensing to the department of revenue, effective July 1, 2011. This program is now referred to as the business licensing service (BLS).

Information about BLS is available on-line at http://business.wa.gov/BLS. If you are seeking in-person assistance, you may want to visit:

6500 Linderson Way S.W., Suite 102
Tumwater, WA 98501
8 a.m. to 5 p.m., Monday - Friday
(except state holidays or temporary layoff days)

The department of licensing continues to issue, renew, and regulate professional licenses, see http://dol.wa.gov/business/.

(2) **What fee do I need to pay when applying for or renewing a license?** The fee payable will be the total amount of all individual license fees, late filing fees, other penalty fees, and handling fees, and may include additional fees charged to cover credit or debit card processing. Licensing fees vary depending on the license for which you are applying. Refer to http://bls.dor.wa.gov/specialtylicenses.aspx for information about licenses and license fee amounts.

((~~(2)~~)) (3) **What does the department do with these fees?** The department will distribute the fees received for individual licenses issued or renewed to the appropriate agencies on an established schedule.

((~~(3)~~)) (4) **When do I get my business license?** The ((~~master~~)) business license will not be issued until the full amount of the total fee payable is collected. When the fee payment received is less than the total fee payable, the department will bill the applicant for the balance.

((~~(4)~~)) (5) **Can I get a refund?** The ((~~master~~)) business license ((~~service~~)) application and renewal handling fees collected under RCW 19.02.075 are not refundable. When a license is denied or when an applicant withdraws an application, a refund of any other refundable portion of the total payment

will be made in accordance with the applicable licensing laws.

(6) **What are the handling fees?** The business license application handling fee amounts are:

Type of handling fee:	**Fee amount:**
Business license application filing	$15.00
License renewal application filing	$9.00