



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Revenue

- Preproposal Statement of Inquiry was filed as WSR 13-04-083; or
- Expedited Rule Making--Proposed notice was filed as WSR ; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

Title of rule and other identifying information: WAC 458-20-10101 *Business licensing service—Total fee payable—Handling of fees* establishes a fee schedule to support the Business Licensing Service (BLS) (formerly Master License Service (MLS) program).

Hearing location(s):

Capitol Plaza Building
4th Floor L&P Conference Room
1025 Union Avenue SE
Olympia, Washington 98504

Copies of draft rules are available for viewing and printing on our website at [Rules Agenda](#)

Date: August 6, 2013 **Time:** 10:00 a.m.

Date of intended adoption: **August 13, 2013**

Submit written comments to:

Name: Marilou Rickert
Address: Post Office Box 47453
Olympia, Washington 98504-7453

E-mail: marilour@dor.wa.gov

By: August 6, 2013

Assistance for persons with disabilities: Contact Mary Carol LaPalm (360) 725-7499 or Renee Cosare (360) 725-7514 no later than 10 days before the hearing date. For Hearing impaired please contact us via the Washington Relay Operator at (800) 833-6384.

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

- To amend WAC 458-20-10101 *Business Licensing Service—Total fee payable—Handling of fees*, to raise the business license application handling fee from \$15.00 to \$19.00 and the license renewal handling fee from \$9.00 to \$11.00.

Reasons supporting proposal:

- SHB 2017, Chapter 298, Laws of 2011, *An Act Relating to the Master License Service*, requires the Department of Revenue to set by rule handling fees for business license application filings and caps those fees at a maximum of \$19.00 for the business license application handling fee and \$11.00 for the license renewal application handling fee.
- Although the Department initially elected to retain the fees at the same level as previously set by statute: \$15.00 for the business license application handling fee and \$9.00 for the license renewal handling fee, the need to replace outdated technology, upgrade the level of service provided by the Business Licensing Service, and integrate the Business Licensing Service system with Department operations in order to make the program faster and easier to use requires that the fees be adjusted to the maximum allowed by statute.
- Section 136(1) of 3ESSB 5034, *An Act Relating to fiscal matters*, authorizes the Department of Revenue to increase the master application fee to \$19.00 and the renewal fee to \$11.00 consistent with RCW 19.02.075.

Statutory authority for adoption: 2013 3ESSB 4034, SHB 2017, Chapter 298, Laws of 2011, RCW 19.02.030, and RCW 19.02.075

Statute being implemented: RCW 19.02.075

Is rule necessary because of a:

- Federal Law? Yes No
- Federal Court Decision? Yes No
- State Court Decision? Yes No

If yes, CITATION:

Date July 3, 2013

Name Alan Lynn

Signature

Title Assistant Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 03, 2013

TIME: 9:51 AM

WSR 13-14-120

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: Department of Revenue

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Marilou Rickert	1025 Union Ave. SE. Ste #544, Olympia ,WA	(360) 534-1582
Implementation.... Dylan Waits	1025 Union Ave. SE. Ste #544, Olympia ,WA	(360) 534-1583
Enforcement..... Alan Lynn	1025 Union Ave. SE. Ste #544, Olympia ,WA	(360) 534-1599

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

Phone:

E-mail:

No. Explain why no statement was prepared.

No impact. This rule does not impose any new performance requirement or administrative burden on any small business not already required by statute. Fee increases are *de minimus*: \$4 for the first license, and \$2 in subsequent years.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Marilou Rickert

Address: Post Office Box 47453

Olympia, Washington 98504-7453

Phone: (360) 534-1582

E-mail: marilour@dor.wa.gov

No: Please explain:

THIS PROPOSED RULE IS SUBMITTED FOR PUBLIC COMMENTS AFTER INPUT FROM INTERESTED PARTIES AND IS TO BE USED SOLELY FOR DISCUSSION PURPOSES AT THE PUBLIC HEARING ON THE PROPOSED RULE. UNDER NO CIRCUMSTANCES IS THIS PROPOSED RULE TO BE USED TO DETERMINE TAX LIABILITY AND OR EXEMPTIONS.

AMENDATORY SECTION (Amending WSR 12-04-060, filed 1/30/12, effective 3/1/12)

WAC 458-20-10101 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 online 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.

(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.

(4) **When do I get my business license?** The 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

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applicant for the balance.

(5) **Can I get a refund?** The business license 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) <u>19.00</u>
License renewal application filing	\$(9.00) <u>11.00</u>