



# 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:**

WAC 308-300-160 **Total fee payable—Handling of fees** establishes the amount of application and renewal handling fees charged by the Master License Service (often referred to as the “Business License Service”).

SB 2017, Chapter 298, Laws of 2011, transferred responsibility for Master Licensing Service rules from the Department of Licensing to the Department of Revenue, effective July 1, 2011. This legislation requires that the application and renewal handling fees be established by rule.

This is the 2<sup>nd</sup> adoption of an emergency WAC 308-300-160. The fee amounts are the same as reflected in the first emergency rule, filed on June 15, 2011. The Department is in the rule making process to adopt a permanent rule, which will be recodified in chapter 458-20 WAC.

**Citation of existing rules affected by this order:**

- Repealed:
- Amended: WAC 308-300-160 **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 an amended permanent rule cannot be adopted at this time.**

**Date adopted:** October 14, 2011

**NAME**  
Alan R. Lynn

**SIGNATURE**

**TITLE**  
Rules Coordinator

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: October 14, 2011**  
**TIME: 10:05 AM**

**WSR 11-21-062**

**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:**

<b>Federal statute:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Federal rules or standards:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Recently enacted state statutes:</b>	New	<u>0</u>	Amended	<u>1</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>0</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:**

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	Repealed	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	Repealed	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	Repealed	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

**This rule was adopted on an emergency basis effective 10/14/11. It may be used to determine tax liability until 2/11/12 unless the Department adopts a permanent rule prior to this date.**

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

**WAC 308-300-160 Total fee payable--Handling of fees.** (1)

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.

(2) The department will distribute the fees received for individual licenses issued or renewed to the appropriate agencies on an established schedule.

(3) The master 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) The master 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.

(5) The master license service handling fee amounts are:

<u>Type of handling fee:</u>	<u>Fee amount:</u>
<u>Master business application filing</u>	<u>\$15.00</u>
<u>License renewal application filing</u>	<u>\$9.00</u>