



STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

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STATE BUILDING CODE COUNCIL LEGISLATIVE COMMITTEE MEETING SUMMARY MINUTES

LOCATION: In response to the Governor's Emergency Proclamation, there was no physical location.

MEETING DATE: Friday, February 5, 2021

Members in Attendance: Todd Beyreuther, Committee Chair; Andrew Klein; Diane Glenn; Kjell Anderson; Phil Lemley;

Members Absent: Doug Orth

Other Council Members Present: Tony Doan

Staff In Attendance: Stoyan Bumbalov, Krista Braaksma, Ray Shipman

Visitors Present: None

Agenda Items	Council Actions/Discussion
1. Welcome and Introductions	Meeting called to order at 11:00 a.m. by Chair, Todd Beyreuther. Everyone was welcomed and introductions were made.
2. Review & Approve Agenda	The agenda was approved as written.
3. Review & Approve Minutes	The minutes of the January 29, 2021, meeting were approved as written.
3. Legislative Update	<p>Please refer to the attached Bill Tracking Log.</p> <p>Stoyan Bumbalov provided an explanation of Article III of the Council Bylaws as to what the Legislative Committee are able to do and this document is posted on our website under Bylaws.</p> <p>Stoyan Bumbalov provided a synopsis of the bills introduced or changed in status since the last meeting.</p> <p>HB 1084 related to Energy will go before the Executive Session in the House Committee on February 12, 2021. Changes to the bill are expected.</p> <p>HB 1287 would require the Council to adopt rules for EV infrastructure; the new requirements must exceed the minimum requirements established in 2019 for residential and commercial buildings. The Council must adopt these rules by July 1, 2024. This can be done during the regular code adoption cycle.</p> <p>SB 5366 is a companion bill to HB 1103 related to Building Materials used for government funded projects. This does not have any impact to the State Building Code Council.</p> <p>A substitute bill was introduced for HB 1184 related to Onsite Nonpotable</p>

	<p>Water Systems. The amended bill provides a benefit for homeowners. The original bill has a fiscal impact to SBCC, and the effective date of July 1, 2022 is unrealistic.</p> <p>HB 1337 is related to Accessory Dwelling Units. This bill allows local jurisdictions to obtain incentives from the fees collected for the construction of ADU's. This does not have a fiscal impact to SBCC and it is currently being monitored.</p> <p>Todd Beyreuther brought up HB 1114 regarding utilities and energy efficiency and proposed monitoring of this bill.</p> <p>Diane Glenn asked about SB 5280 regarding Administrative Procedures. Currently, there are no hearings and no movement.</p> <p>Todd Beyreuther asked about HB 1150 regarding Building Code Council memberships and there has been no movement.</p> <p>The cutoff date for bills to be addressed in session is February 15, 2021. If they are not addressed this year, they could be added to next years' docket.</p>
4. Other Business	<p>A question was asked about the flow of information being passed from this committee to the Legislature. Stoyan follows the bills and the analysis and provides feedback to DES, however, Diane Glenn stated that the Council had deputized Richard Brown to be a voice for the Council in the Legislature in the past session. Diane Glenn suggested at this next Council meeting to deputize Stoyan Bumbalov to be the voice for the Council.</p>
5. Adjourn	<p>The meeting was adjourned at 11:33 a.m.</p>

Attachments: Bill Tracking Log

Bill Number	Title	Sponsor	Description	Position	Committee/ Action	Impact on SBCC	Impact on Stakehold.
January 15, 2021							
HB 1050 See below SHB 1050 (January 29)	Fluorinated gases	Fitzgibbon	Requires the Council to consider HFCs when adopting codes. Establishes a threshold for HFCs in refrigeration and directs Ecology to establish a management program. The bill will require various changes in the Mechanical Code. This can be done during the standard three year code cycle review, modification and implementation process.	Neutral – Monitor	H Env & Energy Feb 8: Public hearing in the H. Committee on Appropriations Feb 11: Exec. session in the H. Committee on Appropriations	No; changes to mechanical code can be done during the standard three year code cycle process.	Major
HB 1084 Companion SB 5093	Building decarbonization AKA Healthy homes and clean buildings act	Ramel	Changes the statute to require a 70% reduction in net energy consumption by 2027 and eliminate on-site fossil fuel combustion for space and water heating. Energy reduction has been codified as a 70% reduction from 2006 by 2031. The Council has been working toward an incremental approach each three year code cycle. Going from 2031 to 2027 eliminates one cycle, compressing the financial impact for the remaining cycles.	Neutral – Monitor	H Env & Energy Feb 9, 11 and 12: Executive sessions in the House Committee on Environment & Energy	No; changes in the Energy Code can be done during the standard three year code cycle process.	Major
SB 5093 Companion HB 1084	Building decarbonization	Liias	Changes the statute to require a 70% reduction in net energy consumption by 2027 and eliminate on-site fossil fuel combustion for space and water heating.	Neutral – Monitor	S Env, Energy & Tech	No	Major
HB 1103 Companion SB 5366	Building materials	Duerr (Prime), Shewmake	Requires that building materials used for government funded projects be rated (by the contractor) for environmental and societal costs. There is no direction/requirement for the SBCC	Neutral – Monitor	H Cap Budget Feb 9: Executive session in the House Committee on Capital Budget	No	Major (Not related to SBCC)
HB 1150	Building code council membership	Hoff (Prime), Chapman	Adds the four legislative members as voting members while keeping the L&I rep as ex officio.	Neutral - Monitor	H Local Govt	Major	No
HB1157	Housing supply	Bateman (Prime), Gilday	Increases housing supply through the growth management act and housing density tax incentives for local governments.	Neutral - Monitor	H Local Govt Feb 12: Executive session in the H. Committee on Local Gov.	No	No

Bill Number	Title	Sponsor	Description	Position	Committee/ Action	Impact on SBCC	Impact on Stakehold.
HB 1180	Public testimony	Kraft	Allows agencies to hold virtual meetings and requiring time at every meeting for public testimony. The SBCC follows the same or similar procedures maintaining the same regulatory effect. During the pandemic, the SBCC has been successfully interacting with the public virtually, including the public testimony.	Neutral – Monitor	H Local Govt Feb 12: Executive session in the H. Committee on Local Gov.	No Provides more clarity and specificity for implementation	No
SB 5126	Washington Climate Commitment Act	Carlyle (Prime), Saldaña	Amends the Washington climate commitment act. It is a carbon cap bill that focuses on utilities and manufacturing and doesn't address the building codes or SBCC.	Neutral - Monitor	S Env, Energy &	No	No
HB 1192	Technical corrections	Goodman (Prime), Dufault	Makes technical corrections and removing obsolete language from the Revised Code of Washington pursuant to RCW 1.08.025	Monitor	H Civil R & Judi	No	No
SB 5221	Accessory dwelling units	Gildon (Prime), Lias	Addresses regulating accessory dwelling units located outside of urban growth areas. SB 5221 is a zoning bill that is refining previous legislation directing cities and counties to allow and encourage accessory dwelling units. Previously, many cities restricted the construction of such dwellings. This bill is adding some restrictions to the previous legislation.	Monitor	S Housing & Local	No	No

Bill Number	Title	Sponsor	Description	Position	Committee/ Action	Impact on SBCC	Impact on Stakehold.
January 22, 2021							
HB 1184 Companion SB5087	On-site nonpotable water systems.	Duerr (Prime), Ramel, Dolan, Harris-Talley	Requires the department of health to consult and coordinate with SBCC when developing rules related to on-site nonpotable water systems and when developing the building code language. Although it is unclear at this time how the department of health is planning to coordinate and consult with SBCC, the mandates in this bill have potentially big impacts on SBCC normal course of business. The effective date (July 1, 2022) is unrealistic. Cross connection (contamination) is an issue.	Neutral/ Monitor	H Local Govt	Yes Fiscal impact above \$60,000	Yes
SB 5087 Companion HB1184	On-site nonpotable water systems.	Hasegawa (Prime), Wilson, C.	See HB 1184	Neutral	S Environment, E & Technology	Yes	Yes
HB 1280	Concerning greenhouse gas emissions reductions in the design of public facilities.	Ramel (Prime), Duerr	Addresses greenhouse gas emissions reductions in the design of public facilities, and is amending RCW 39.35.010, 39.35.020, 39.35.030, and 39.35.050. The language, as written, is irrelevant to the SBCC business.	Miss-assigned			
SB 5280	Administrative procedures	Wilson, J. (Prime), Fortunato	Narrows the rulemaking authority for state agencies, including the SBCC. Currently, code amendments remain valid for years unless modified in the future by the Council. The bill specifies that in those circumstances where an agency is authorized to write a rule, the rule expires on June 1 of the year following the adoption, unless the legislature postpones the expiration. This waiver would be required for nearly all of the SBCC rulemaking. This is a simplified version of SB1052 from the last session.	Neutral/ Monitor	S State Govt & E	Policy impact: Major Fiscal impact: less than \$50,000	Major The SBCC may not be able to meet its obligations under RCW 19.27 because the SBCC may lose flexibility and the ability to respond quickly to changing situations, which is typical in the building industry.

Bill Number	Title	Sponsor	Description	Position	Committee/ Action	Impact on SBCC	Impact on Stakehold.
HB 1187	Split ductless HVAC systems	Hoff (Prime), McEntire	Allows HVAC/refrigeration electricians to perform electrical work on split ductless HVAC systems. The bill adds two new sections to RCW 19.28 RCW. Appropriate entity is the Dep. of labor and industries.	Miss-assigned	H Labor & Workplace Standards	No	No
HB 1329	Public meeting accessibility and participation Washington state open public meetings act	Wicks, Harris -Talley, Lekanoff, Morgan, Fey, Lovick, Bateman, Shewmake, Wylie, Ryu, Taylor, J., Pollet, Peterson	Amends and adds new sections to RCW 42.30 (Open Public Meeting Act) pertaining to accessibility and participation	Neutral – Monitor	H Local Government Feb 12: Executive session in the House Committee on Local Government	No	No
January 29, 2021							
SHB 1050	Fluorinated gases	Fitzgibbon	<ul style="list-style-type: none"> Amends references to engineering standards that must be incorporated into state building codes prior to the Department of Ecology adopting GWP restrictions on new stationary refrigeration and air conditioning systems by specifying the version of such standards that exist as of January 1, 2022. Requires the SBCC to solicit input from affected parties prior to adopting rules addressing substitutes, refrigerants, and refrigeration systems or AC systems. 		H Env & Energy Feb 8: Public hearing in the H. Committee on Appropriations Feb 11: Exec. session in the H. Committee on Appropriations	No; changes to mechanical code can be done during the standard three year code cycle process.	Major
SB 5243	Creating efficiency in housing by streamlining approval of engineered plans.	Gildon (Prime), Fortunato, Short	<ul style="list-style-type: none"> Adds a new section to RCW 19.27 affecting the authority of building departments to enforce the state building code. Any building permit applications submitted with plans/specifications signed by an engineer or architect must be deemed complete by the building department. Allows building departments to review applications for compliance with zoning or other land use control ordinances, but it may not impose substantial modifications or conditions on such submittals. 	Neutral – High	S Housing & Local Government	No; Changes to the codes can be done during the standard three year code cycle process.	Major Significant impact on licensed professionals and local building departments

Bill Number	Title	Sponsor	Description	Position	Committee/ Action	Impact on SBCC	Impact on Stakehold.
SB 5360	Inspection and testing of fire and smoke control systems	Cleveland, Short, Salomon	<p>Modification to HB 2701 we are currently working on with the IFC TAG. Adds another qualified person allowed to do the inspections.</p> <p>Currently RCW 19.27.720 requires inspections and tests to be performed by contractors or engineers certified by the international certification board through a program accredited by ANSI under ISO/IEC 17024 standard. The bill adds individuals meeting the NFPA definition of a qualified person who has received training equivalent to the NFPA standards for inspection and testing of fire dampers, smoke dampers, combination fire and smoke dampers, and smoke control systems.</p>	Neutral – Monitor	S Housing & Local Government	No The bill does not require building code amendments	No
February 5, 2021							
HB1287	Preparedness for zero emissions transportation future	Ramel, Hackney, Bateman, Fitzgibbon, Berry, Goodman, Santos, Kloba, Macri, Bergquist, Ormsby, Pollet	The SBCC electric vehicle infrastructure requirements for buildings must exceed the minimum requirements established in 2019 for residential and commercial buildings to the extent necessary to support anticipated levels of ZEV use that result from the implementation of the ZEV program and that result in emission reductions consistent with state emission reduction limits. The Council must adopt rules to implement these electric vehicle infrastructure requirements by July 1, 2024. This can be done during the regular code adoption cycle.	Neutral – Monitor	H Env & Energy Feb 5: House Committee on Environment & Energy	No The date (July 1, 2024) allows SBCC to adopt the rule during the regular code adoption process.	<u>Uncertain</u> Many cities and counties already have requirements for EV charging exceeding the state mandates. However, in some areas, due to weather or other constrains, new rules related to EV may have impact on stakeholders.
SB 5366 Companion HB 1103	Building Materials	Stanford, Wellman, Hunt, Kuderer, Hasegawa, Das, Saldaña, Lovelett, Nguyen	Requires that building materials used for government funded projects be rated (by the contractor) for environmental and societal costs. There is no direction/requirement for the SBCC	Neutral – Monitor	State Government & Elections	No	Major (Not related to SBCC)

Bill Number	Title	Sponsor	Description	Position	Committee/ Action	Impact on SBCC	Impact on Stakehold.
SHB 1184 Companion SB 5087	On-site nonpotable water systems.	Duerr (Prime), Ramel, Dolan, Harris-Talley	<p>Requires the department of health to consult and coordinate with SBCC when developing rules related to on-site nonpotable water systems and when developing the building code language. Although it is unclear at this time how the department of health is planning to coordinate and consult with SBCC, the mandates in this bill have potentially big impacts on SBCC normal course of business. The effective date (July 1, 2022) is unrealistic. Cross connection (contamination) is an issue.</p> <p>The substitute bill adds a requirement that the rules adopted by the Department of Health provide property owners who are required to mitigate stormwater runoff a reduction in the amount of stormwater they must mitigate based on the amount of nonpotable water that is treated and reused onsite in conformance with the bill. This is irrelevant to the SBCC business.</p>	Neutral/ Monitor	H Local Govt	Yes Fiscal impact above \$60,000	Yes
HB 1337 No analysis provided for DES	Accessory Dwelling Units	Gregerson, Barkis, Fitzgibbon, Chambers, Peterson, Davis, Gilday, Bateman, Callan, Eslick, Young, Harris-Talley, Macri	<p>Cities and counties may qualify for a distribution from the accessory dwelling unit incentive account of an amount equivalent to the state's portion of the sales tax generated by the qualifying new construction of ADUs. To qualify for the money, cities and counties must adopt numerous policies stated in the bill.</p> <ul style="list-style-type: none"> • Allow ADUs to encroach on setbacks if the other property owner approves and the fire code does not prohibit the encroachment. • May not establish roof height limits, setback requirements, or requirements for design review for ADUs that are more restrictive than those for principal units • Must allow detached ADUs to be sited at a lot line if the lot line abuts a public alley that is not routinely plowed for snow by the city or county; 	Monitor	H. Local Gov. Feb 3: Public hearing in the H. Committee on Local Gov. Feb 12: Exec. session in the H. Committee on Local Gov.	No	Uncertain

Bill Number	Title	Sponsor	Description	Position	Committee/ Action	Impact on SBCC	Impact on Stakehold.
			<ul style="list-style-type: none"> Must allow accessory dwelling units to be converted from existing structures, such as detached garages, even if they violate current code requirements for setbacks or lot coverage 				