



STATE OF WASHINGTON

**STATE BUILDING CODE COUNCIL**

1500 Jefferson Street SE • P.O. Box 41449 • Olympia, Washington 98504

(360) 407-9277 • e-mail sbcc@des.wa.gov • www.sbcc.wa.gov

**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 26, 2021

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

**Members Absent:** Doug Orth; Kjell Anderson

**Other Council Members Present:**

**Staff In Attendance:** Stoyan Bumbalov; Krista Braaksma

**Visitors Present:** Barbara McMullen; Ken Brouillette; Jenn Kane

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 February 12, 2021, meeting were approved as written.
3. Legislative Update	Staff overviewed the Legislative Bill Tracking Log attached.
4. Other Business	There was no other business.
5. Adjourn	The meeting was adjourned at 11:13 a.m.

Attachments: Bill Tracking Log

**2021 Legislative Session Bill Tracking Log  
State Building Code Council  
Bills of Interest**

Bill Number	Title	Sponsor	Description	Position	Committee/ Action	Impact on SBCC	Impact on Stakehold.
<p><a href="#">HB 1084</a></p> <p>Companion SB 5093 (Dead)</p> <p><a href="#">SHB 1084</a></p> <p>(Dead)</p>	Building decarbonization AKA Healthy homes and clean buildings act	Ramel	<p>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.</p> <p>Allow cities/counties to amend the residential energy code.</p> <p><u>Changes to the original bill:</u></p> <p>Restores the current-law requirements for the 2031 State Energy Code</p> <p>Requires that the State Energy Code, for each code cycle, provide one reach code option for increasingly low-emission energy efficient homes that local jurisdictions may adopt for residential construction</p>	Neutral – Monitor	<p><a href="#">H Env &amp; Energy</a></p> <p><b>Feb 17:</b> Public hearing in the H. Committee on Appropriation</p> <p><b>Feb 22:</b> Executive session scheduled, but no action was taken in the H. Committee on Appropriation</p>	No.  Changes in the Energy Code can be done during the standard three year code cycle process.	Major
<a href="#">2SHB 1050</a>	Fluorinated gases	Fitzgibbon	<p>Requires the SBCC to solicit input from affected parties prior to adopting rules addressing substitutes, refrigerants, and refrigeration systems or AC systems.</p> <p>Requires the SBCC to adopt rules that allow the use of low-GWP substitutes to the maximum extent practicable, but only if the substitutes do not present a risk to building occupant safety or conflict with the fire code or best practices to reduce fire risk. The SBCC</p>	Neutral – Monitor	<p><a href="#">H Env &amp; Energy</a></p> <p><b>Feb 17:</b> H 2nd Reading</p> <p><b>Feb 23:</b> 2nd substitute bill substituted Floor amendment(s) adopted; rules suspended.</p>	No.  Changes to mechanical code can be done during the standard three year code cycle process.	Major  Cost of transitioning to new refrigerants and purchasing new refrigeration systems.

Bill Number	Title	Sponsor	Description	Position	Committee/ Action	Impact on SBCC	Impact on Stakehold.
<a href="#">E2SHB 1050</a>			<p>may adopt rules that allow the use of substitutes that are not yet approved by the EPA</p> <p>The amended version has no impact on the Council</p>		Placed on Third Reading. Passed House yeas 56; nays 40; absent 0; excused 2		
<p><a href="#">SHB 1287</a></p> <p><a href="#">2SHB 1287</a></p>	Preparedness for zero emissions transportation future	Ramel, Hackney, Bateman, Fitzgibbon, Berry, Goodman, Santos, Kloba, Macri, Bergquist, Ormsby, Pollet	<p>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. 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.</p> <p>Amended bill specifies that the rules adopted by the Council may be periodically updated thereafter (after July 1, 2024). The modification does not automatically add policy and/or operational impacts because it does not add new requirements, but gives the SBCC the authority to periodically update the rules pertaining to the EV charging infrastructure.</p>	Neutral – Monitor	<p><a href="#">H Env &amp; Energy</a></p> <p><b>Feb 18:</b> Executive session in the H. Committee on Transportation</p> <p><b>Feb 22:</b> Referred to Rules 2 Review.</p> <p><b>Feb 24:</b> Rules Committee relieved of further consideration. Placed on second reading.</p>	No The date (July 1, 2024) allows SBCC to adopt the rule during the regular code adoption process.	<u>Uncertain</u>
<p><a href="#">SHB 1184</a></p> <p>Companion SB 5087</p>	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	Neutral/ Monitor	<p><a href="#">H Local Govt</a></p> <p><b>Feb 2:</b> Referred to Rules 2 Review.</p> <p><b>Feb 23:</b> Rules Committee relieved of further consideration;</p>	Yes Fiscal impact above \$60,000	Yes

Bill Number	Title	Sponsor	Description	Position	Committee/ Action	Impact on SBCC	Impact on Stakehold.
ESHB 1184			<p>impacts on SBCC normal course of business.</p> <p>The effective date (July 1, 2022) is unrealistic. Cross connection (contamination) is an issue.</p> <p>Clarifies the requirement that calculations made by property owners or permit holders to address runoff from impervious surfaces must reduce the amount of rainwater that is considered stormwater by the amount of rainwater that is treated and reused onsite in conformance with the rules established.</p>		<p>placed on second reading.</p> <p><b>Feb 24:</b> 1st substitute bill substituted; floor amendment(s) adopted; rules suspended; placed on third reading.</p> <p>Third reading passed</p> <p>yeas 90; nays 6; absent 0; excused 2</p>		
<p><a href="#">HB 1103</a></p> <p><a href="#">SHB 1103</a></p> <p>Companion SB 5366</p> <p>(Dead)</p>	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	<p><a href="#">H Cap Budget</a></p> <p><b>Feb 17:</b> Executive session in the H. Committee on Capital Budget</p> <p><b>Feb 18:</b> Ref. to Appropriations</p>	No	Major (Not related to SBCC)
<a href="#">SHB 1329</a>	<p>Public meeting accessibility and participation</p> <p>Washington state open public meetings act</p>	Wicks, Pollet, Taylor, Ryu, Wylie, Shewmake, Bateman, Lovick, Fey, Morgan, Lekanoff, Harris-Talley, Peterson	Amends and adds new sections to RCW 42.30 (Open Public Meeting Act) pertaining to accessibility and participation	Neutral – Monitor	<p><a href="#">H Local Government</a></p> <p><b>Feb 15:</b> <a href="#">H Rules Review</a></p> <p><b>Feb 24:</b> Rules Committee relieved of further consideration. Placed on second reading</p>	No	No
<a href="#">SHB 1157</a>	Housing supply	Bateman (Prime), Gilday	Increases housing supply through the growth management act and housing density tax incentives for local governments.	Neutral - Monitor	<p><a href="#">H Local Govt</a></p> <p><b>Feb 18:</b></p>	No	No

Bill Number	Title	Sponsor	Description	Position	Committee/ Action	Impact on SBCC	Impact on Stakehold.
					Public hearing H Committee of Finance <b>Feb 19</b> Executive session scheduled, but no action was taken in the H. Committee on Finance		
<b>SB 5093</b> Companion HB 1084	Building decarbonization	Lias	Changes the statute to require a 70% reduction in net energy consumption by 2027 and eliminates on-site fossil fuel combustion for space/water heating.	Neutral – Monitor	<a href="#">S Env, Energy &amp; Tech</a> <b>(Dead)</b>	No	Major
<b>HB 1150</b>	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	<a href="#">H Local Govt</a> <b>(Dead)</b>	Major	No
<b>SB 5087</b> Companion HB1184	On-site nonpotable water systems.	Hasegawa (Prime), Wilson, C.	See HB 1184	Neutral	<a href="#">S Environment, E &amp; Technology</a> <b>(Dead)</b>	Yes	Yes
<b>SB 5360</b>	Inspection and testing of fire and smoke control systems	Cleveland, Short, Salomon	Modification to HB 2701 we are currently working on with the IFC TAG. 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.	Neutral – Monitor	<a href="#">S Housing &amp; Local Government</a> <b>(Dead)</b>	Uncertain	Uncertain
<b>SB 5280</b>	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	Neutral/ Monitor	<a href="#">S State Govt &amp; E</a> <b>(Dead)</b>	Policy impact: Major  Fiscal impact: less than \$50,000	<u>Major</u> SBCC may not be able to meet its obligations under RCW 19.27 because

Bill Number	Title	Sponsor	Description	Position	Committee/ Action	Impact on SBCC	Impact on Stakehold.
			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 is a simplified version of SB1052 from the last session.				the SBCC may lose flexibility and the ability to respond quickly to changing situations, which is typical in the building industry.
<a href="#">SB 5243</a>	Creating efficiency in housing by streamlining approval of engineered plans.	Gildon (Prime), Fortunato, Short	Adds a new section to RCW 19.27 affecting the authority of building departments to enforce the state building code. <ul style="list-style-type: none"> <li>Any building permit applications submitted with plans/specifications signed by an engineer or architect must be deemed complete.</li> <li>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.</li> </ul>	Neutral – High	<a href="#">S Housing &amp; Local Government</a>  <b>(Dead)</b>	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
<a href="#">SB 5366</a> Companion HB 1103	Building Materials	Stanford, Wellman, Hunt, Das, Hasegawa, 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	<a href="#">State Government &amp; Elections</a>  <b>(Dead)</b>	No	Major (Not related to SBCC)
<a href="#">SB 5221</a>	Accessory dwelling units	Gildon (Prime), Liias	SB 5221 is a zoning bill that is refining previous legislation directing cities and counties to allow and encourage ADUs. Previously, many cities restricted the construction of such dwellings. This bill is adding some restrictions to the previous legislation.	Monitor	<a href="#">S Housing &amp; Local</a>  <b>(Dead)</b>	No	No
<a href="#">HB 1180</a>	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,	Neutral – Monitor	<a href="#">H Local Govt</a>  <b>(Dead)</b>	No  Provides more clarity and specificity for	No

Bill Number	Title	Sponsor	Description	Position	Committee/ Action	Impact on SBCC	Impact on Stakehold.
			the SBCC has been successfully interacting with the public virtually, including the public testimony.			implementation	
<b>SB <a href="#">5126</a></b>	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	<a href="#">S Env, Energy &amp;</a> <b>(Dead)</b>	No	No