



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, March 12, 2021

**Members in Attendance:** Todd Beyreuther, Committee Chair; Andrew Klein; Doug Orth

**Members Absent:** Diane Glenn; Kjell Anderson; Phil Lemley

**Other Council Members Present:**

**Staff In Attendance:** Stoyan Bumbalov; Shannon Pitts

**Visitors Present:** Jonathan Belais; Barbara McMullen

Agenda Items	Council Actions/Discussion
1. Welcome and Introductions	Meeting called to order at 11:02 a.m. by Chair, Todd Beyreuther. Everyone was welcomed and introductions were made. A quorum was not present.
2. Review & Approve Agenda	Due to lack of quorum, this was not approved.
3. Review & Approve Minutes	Due to lack of quorum, the minutes of the March 5, 2021 were not approved.
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 11:10 a.m.

Attachments: Bill Tracking Log

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

<b>Bill Number</b>	<b>Title</b>	<b>Sponsor</b>	<b>Description</b>	<b>Position</b>	<b>Committee/ Action</b>	<b>Impact on SBCC</b>	<b>Impact on Stakehold.</b>
<p><b>2SHB</b> <a href="#">1050</a></p>       <p><b>E2SHB</b> <a href="#">1050</a></p>	<p>Fluorinated gases</p>	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 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>	Neutral – Monitor	<p><a href="#">H Env &amp; Energy</a> <b>Feb 23:</b> Passed House yeas 56; nays 40; absent 0; exc. 2</p> <p><b>SENATE:</b> <b>Feb 25:</b> First reading, ref. to Environment, Energy &amp; Technology <b>Mar 16:</b> Scheduled for public hearing in the Senate Committee on Environment, Energy &amp; Technology</p>	<p>No</p> <p>Changes to mechanical code can be done during the standard three year code cycle process.</p>	<p>Major</p> <p>Cost of transitioning to new refrigerants and purchasing new refrigeration systems.</p>
<p><b>SHB</b> <a href="#">1329</a></p>  <p><b>ESHB</b> <a href="#">1329</a></p>	<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	<p>Amends and adds new sections to RCW 42.30 (Open Public Meeting Act) pertaining to accessibility and participation</p>	Neutral – Monitor	<p><a href="#">H Local Government</a> <b>SENATE:</b> <b>Mar 2:</b> First reading, referred to State Government &amp; Elections. <b>Mar 19:</b> Scheduled for public hearing in the Senate Committee on State Government &amp; Elections</p>	No	No

Bill Number	Title	Sponsor	Description	Position	Committee/ Action	Impact on SBCC	Impact on Stakehold.
<p><b>SHB <a href="#">1287</a></b></p> <p><b>2SHB <a href="#">1287</a></b></p> <p><b>E2SHB <a href="#">1287</a></b></p> <p>The amended version has no impact on the Council</p>	Preparedness for zero emissions transportation future	Ramel, Hackney, Bateman, Fitzgibbon, Berry, Goodman, Santos, Kloba, Macri, Bergquist, Ormsby, Pollet	<p>The EV 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 EV infrastructure requirements by July 1, 2024.</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>Mar 3:</b> Third reading; passed yeas 65; nays 31; absent 0; exc. 2</p> <p><b>SENATE</b></p> <p><b>Mar 6:</b> First reading, referred to Environment, Energy &amp; Technology.</p> <p><b>Mar 18:</b> Scheduled for public hearing; Environment, Energy &amp; Technology</p>	No	<p><u>Uncertain</u></p> <p>The date (July 1, 2024) allows SBCC to adopt the rule during the regular code adoption process.</p>
<p><b>SHB <a href="#">1184</a></b> Companion SB 5087</p> <p><b>ESHB 1184</b></p>	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 DOH is planning to coordinate with SBCC, the mandates in this bill have potentially big 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>	Neutral/Monitor	<p><a href="#">H Local Govt</a></p> <p><b>Feb 24:</b> Third reading passed yeas 90; nays 6; absent 0; exc. 2</p> <p><b>SENATE:</b></p> <p><b>Mar 2:</b> First reading; referred to Housing &amp; Local Government.</p> <p><b>Mar 10:</b> Public hearing in the Senate Committee on Housing &amp; Local Government</p>	Yes	Yes

Bill Number	Title	Sponsor	Description	Position	Committee/ Action	Impact on SBCC	Impact on Stakehold.
SHB <a href="#">1157</a>  (Dead)	Housing supply	Bateman (Prime), Gilday	Increases housing supply through the growth management act and housing density tax incentives for local governments.	Neutral - Monitor	<a href="#">H Local Govt</a> <b>Feb 18:</b> Public hearing H Committee of Finance <b>Feb 19</b> Executive session scheduled, but no action was taken in the H. Committee on Finance	No	No
HB <a href="#">1084</a> Companion SB 5093 (Dead)  SHB <a href="#">1084</a>  (Dead)	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.  Allow cities/counties to amend the residential energy code.  <u>Changes to the original bill:</u> Restores the current-law requirements for the 2031 State Energy Code  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	Neutral – Monitor	<a href="#">H Env &amp; Energy</a>  <b>Feb 17:</b> Public hearing in the H. Committee on Appropriation  <b>Feb 22:</b> Executive session scheduled, but no action was taken in the H. Committee on Appropriation	No.  Changes in the Energy Code can be done during the standard three year code cycle process.	Major

Bill Number	Title	Sponsor	Description	Position	Committee/ Action	Impact on SBCC	Impact on Stakehold.
<a href="#">HB 1103</a> <a href="#">SHB 1103</a> Companion SB 5366  (Dead)	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	<a href="#">H Cap Budget</a> <b>Feb 18:</b> Ref. to Appropriations	No	Major (Not related to SBCC)
<a href="#">SB 5093</a> Companion HB 1084 (Dead)	Building decarbonization	Liias	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>	No	Major
<a href="#">HB 1150</a>  (Dead)	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>	Major	No
<a href="#">SB 5087</a> Companion HB1184 (Dead)	On-site nonpotable water systems.	Hasegawa (Prime), Wilson, C.	See HB 1184	Neutral	<a href="#">S Environment, E &amp; Technology</a>	Yes	Yes
<a href="#">SB 5366</a> Companion HB 1103  (Dead)	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>	No	Major (Not related to SBCC)
<a href="#">SB 5360</a>  (Dead)	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>	Uncertain	Uncertain

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<b>SB <a href="#">5280</a></b> <b>(Dead)</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 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.	Neutral/ Monitor	<a href="#">S State Govt &amp; E</a>	Policy impact: Major  Fiscal impact: less than \$50,000	Major 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.
<b>SB <a href="#">5243</a></b> <b>(Dead)</b>	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>	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
<b>SB <a href="#">5221</a></b> <b>(Dead)</b>	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>	No	No
<b>HB <a href="#">1180</a></b> <b>(Dead)</b>	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	<a href="#">H Local Govt</a>	No  Provides more clarity and specificity for implementation	No

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SB <a href="#">5126</a> (Dead)	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>	No	No