

---

HOUSE BILL 1720

---

State of Washington

64th Legislature

2015 Regular Session

By Representatives Robinson, Peterson, Stanford, Riccelli, Gregerson, Senn, Appleton, Ortiz-Self, Tarleton, Jinkins, and Santos

Read first time 01/27/15. Referred to Committee on Community Development, Housing & Tribal Affairs.

1 AN ACT Relating to healthy housing; and amending RCW 70.164.010,  
2 70.164.020, and 70.164.040.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.164.010 and 2010 c 287 s 1 are each amended to  
5 read as follows:

6 (1) The legislature finds and declares that weatherization of the  
7 residences of low-income households will help conserve energy  
8 resources in this state and can reduce the need to obtain energy from  
9 more costly conventional energy resources. The legislature also finds  
10 that while many efforts have been made by the federal government and  
11 by the state, including its cities, counties, and utilities, to  
12 increase both the habitability and the energy efficiency of  
13 residential structures within the state, stronger coordination of  
14 these efforts will result in even greater energy efficiencies,  
15 increased cost savings to the state's residents in the form of lower  
16 utility bills, improvements in health and safety, lower greenhouse  
17 gas emissions and associated climate impacts, as well as increased  
18 employment for the state's workforce. The legislature further finds  
19 that there is emerging scientific evidence linking residents' health  
20 outcomes such as asthma, lead poisoning, and unintentional injuries  
21 to substandard housing.

1 (2) Therefore, it is the intent of the legislature that state  
2 funds be dedicated to weatherization and energy efficiency activities  
3 as well as the moderate to significant repair and rehabilitation of  
4 residential structures that are required as a necessary antecedent to  
5 those activities. It is also the intent of the legislature that the  
6 department prioritize weatherization, energy efficiency activities,  
7 and structural repair of residential structures to facilitate the  
8 expeditious allocation of funds from federal energy efficiency  
9 programs including, but not limited to, the weatherization assistance  
10 program, the weatherization plus health initiative, the energy  
11 efficiency and conservation block grant program, residential energy  
12 efficiency components of the state energy program, and the retrofit  
13 ramp-up program for energy efficiency projects. The legislature  
14 further intends to allocate future distributions of energy-related  
15 federal jobs stimulus funding to strengthen these programs, and to  
16 coordinate energy retrofit and rehabilitation improvements as  
17 authorized by chapter 287, Laws of 2010 to increase the number of  
18 structures qualifying for assistance under these multiple state and  
19 federal energy efficiency programs.

20 (3) The program implementing the policy of this chapter is  
21 necessary to support the poor and infirm and also to benefit the  
22 health, safety, and general welfare of all citizens of the state.

23 **Sec. 2.** RCW 70.164.020 and 2010 c 287 s 2 are each amended to  
24 read as follows:

25 The definitions in this section apply throughout this chapter  
26 unless the context clearly requires otherwise.

27 (1) "Department" means the department of commerce.

28 (2) "Direct outreach" means:

29 (a) The use of door-to-door contact, community events, and other  
30 methods of direct interaction with customers to inform them of energy  
31 efficiency and weatherization opportunities; and

32 (b) The performance of energy audits.

33 (3) "Energy audit" means an analysis of a dwelling unit to  
34 determine the need for cost-effective energy conservation measures as  
35 determined by the department.

36 (4) "Healthy housing improvements" means increasing the health  
37 and safety of a home by integrating energy efficiency activities and  
38 indoor environmental quality measures, consistent with the  
39 weatherization plus health initiative of the federal department of

1 energy and the healthy housing principles adopted by the federal  
2 department of housing and urban development.

3 (5) "Household" means an individual or group of individuals  
4 living in a dwelling unit as defined by the department.

5 ~~((+5))~~ (6) "Low income" means household income as defined by the  
6 department, provided that the definition may not exceed eighty  
7 percent of median household income, adjusted for household size, for  
8 the county in which the dwelling unit to be weatherized is located.

9 ~~((+6))~~ (7) "Nonutility sponsor" means any sponsor other than a  
10 public service company, municipality, public utility district, mutual  
11 or cooperative, furnishing gas or electricity used to heat low-income  
12 residences.

13 ~~((+7))~~ (8) "Residence" means a dwelling unit as defined by the  
14 department.

15 ~~((+8))~~ (9) "Sponsor" means any entity that submits a proposal  
16 under RCW 70.164.040, including but not limited to any local  
17 community action agency, tribal nation, community service agency, or  
18 any other participating agency or any public service company,  
19 municipality, public utility district, mutual or cooperative, or any  
20 combination of such entities that jointly submits a proposal.

21 ~~((+9))~~ (10) "Sponsor match" means the share of the cost of  
22 weatherization to be paid by the sponsor.

23 ~~((+10))~~ (11) "Sustainable residential weatherization" or  
24 "weatherization" means activities that use funds administered by the  
25 department for one or more of the following: (a) Energy and resource  
26 conservation; (b) energy efficiency improvements; (c) repairs, indoor  
27 air quality improvements, and health and safety improvements; and (d)  
28 client education. Funds administered by the department for activities  
29 authorized under this subsection may only be used for the  
30 preservation of a dwelling unit occupied by a low-income household  
31 and must, to the extent feasible, be used to support and advance  
32 sustainable technologies.

33 ~~((+11))~~ (12) "Weatherizing agency" means any approved department  
34 grantee, tribal nation, or any public service company, municipality,  
35 public utility district, mutual or cooperative, or other entity that  
36 bears the responsibility for ensuring the performance of  
37 weatherization of residences under this chapter and has been approved  
38 by the department.

1       **Sec. 3.** RCW 70.164.040 and 2010 c 287 s 4 are each amended to  
2 read as follows:

3       (1) The department shall solicit proposals for low-income  
4 weatherization programs from potential sponsors. A proposal shall  
5 state the amount of the sponsor match, the amount requested, the name  
6 of the weatherizing agency, and any other information required by the  
7 department.

8       (2)(a) A sponsor may use its own moneys, including corporate or  
9 ratepayer moneys, or moneys provided by landlords, charitable groups,  
10 government programs, the Bonneville power administration, or other  
11 sources to pay the sponsor match.

12       (b) Moneys provided by a sponsor pursuant to requirements in this  
13 section shall be in addition to and shall not supplant any funding  
14 for low-income weatherization that would otherwise have been provided  
15 by the sponsor or any other entity enumerated in (a) of this  
16 subsection.

17       (c) No proposal may require any contribution as a condition of  
18 weatherization from any household whose residence is weatherized  
19 under the proposal.

20       (d) Proposals shall provide that full levels of all cost-  
21 effective, structurally feasible, sustainable residential  
22 weatherization materials, measures, and practices, as determined by  
23 the department, shall be installed when a low-income residence is  
24 weatherized.

25       (3) Sponsors may propose to utilize grant awards and matching  
26 funds to make healthy housing improvements to homes undergoing  
27 weatherization.

28       (4)(a) The department may in its discretion accept, accept in  
29 part, or reject proposals submitted.

30       (b) The department shall prioritize allocating funds from the  
31 low-income weatherization and (~~structural~~) structural  
32 rehabilitation (~~assistance~~) assistance account to projects that  
33 maximize energy efficiency (~~and~~), extend the usable life of an  
34 affordable home, and improve the health and safety of its residents  
35 by: (i) Installing energy efficiency measures; and (ii) providing  
36 structural rehabilitation and repairs, so that funding from federal  
37 energy efficiency programs such as the weatherization assistance  
38 program, the weatherization plus health initiative, the energy  
39 efficiency and conservation block grant program, residential energy

1 efficiency components of the state energy program, and the retrofit  
2 ramp-up program is distributed expeditiously.

3 (c) When allocating funds from the low-income weatherization and  
4 (~~(structural)~~) structural rehabilitation (~~(assistance)~~)  
5 assistance account, the department shall, to the extent feasible,  
6 consider local and state benefits including pledged sponsor match,  
7 available energy efficiency, repair, and rehabilitation funds from  
8 other sources, the preservation of affordable housing, and balance of  
9 participation in proportion to population among low-income households  
10 for: (i) Geographic regions in the state; (ii) types of fuel used for  
11 heating, except that the department shall encourage the use of energy  
12 efficient sustainable technologies; (iii) owner-occupied and rental  
13 residences; and (iv) single-family and multifamily dwellings.

14 (d) The department shall then allocate funds appropriated from  
15 the low-income weatherization and structural rehabilitation  
16 assistance account for energy efficiency and repair activities among  
17 proposals accepted or accepted in part.

18 (e) The department shall develop policies to ensure prudent,  
19 cost-effective investments are made in homes and buildings requiring  
20 energy efficiency, repair, and rehabilitation improvements that will  
21 maximize energy savings (~~and~~), extend the life of a home, and  
22 improve the health and safety of its residents.

23 (f) The department shall give priority to the structural  
24 rehabilitation and weatherization of dwelling units occupied by low-  
25 income households with incomes at or below one hundred twenty-five  
26 percent of the federally established poverty level.

27 (g) The department may allocate funds to a nonutility sponsor  
28 without requiring a sponsor match if the department determines that  
29 such an allocation is necessary to provide the greatest benefits to  
30 low-income residents of the state.

31 (h) The department shall require weatherizing agencies to employ  
32 individuals trained from workforce training and apprentice programs  
33 established under chapter 536, Laws of 2009 if these workers are  
34 available, pay prevailing wages under chapter 39.12 RCW, hire from  
35 the community in which the program is located, and create employment  
36 opportunities for veterans, members of the national guard, and low-  
37 income and disadvantaged populations.

38 (~~(4)~~) (5)(a) A sponsor may elect to: (i) Pay a sponsor match as  
39 a lump sum at the time of structural rehabilitation or  
40 weatherization; or (ii) make yearly payments to the low-income

1 weatherization and structural rehabilitation assistance account over  
2 a period not to exceed ten years. If a sponsor elects to make yearly  
3 payments, the value of the payments shall not be less than the value  
4 of the lump sum payment that would have been made under (a)(i) of  
5 this subsection.

6 (b) The department may permit a sponsor to meet its match  
7 requirement in whole or in part through providing labor, materials,  
8 or other in-kind expenditures.

9 ~~((+5))~~ (6) Service providers receiving funding under this  
10 section must report to the department at least quarterly, or in  
11 alignment with federal reporting, whichever is the greater frequency,  
12 the project costs, and the number of dwelling units repaired,  
13 rehabilitated, and weatherized, the number of jobs created or  
14 maintained, and the number of individuals trained through workforce  
15 training and apprentice programs. The director of the department  
16 shall review the accuracy of these reports.

17 ~~((+6))~~ (7) The department shall adopt rules to carry out this  
18 section.

--- END ---