

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1720

Chapter 50, Laws of 2015

64th Legislature
2015 Regular Session

HOUSING--HEALTH AND SAFETY

EFFECTIVE DATE: 7/24/2015

Passed by the House March 10, 2015
Yeas 74 Nays 23

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 8, 2015
Yeas 48 Nays 1

BRAD OWEN

President of the Senate

Approved April 22, 2015 11:17 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1720** as passed by House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

April 22, 2015

**Secretary of State
State of Washington**

HOUSE BILL 1720

Passed Legislature - 2015 Regular Session

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)~~)assistance
5 account, the department shall, to the extent feasible, consider local
6 and state benefits including pledged sponsor match, available energy
7 efficiency, repair, and rehabilitation funds from other sources, the
8 preservation of affordable housing, and balance of participation in
9 proportion to population among low-income households for: (i)
10 Geographic regions in the state; (ii) types of fuel used for heating,
11 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 section
10 must report to the department at least quarterly, or in alignment
11 with federal reporting, whichever is the greater frequency, the
12 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.

Passed by the House March 10, 2015.
Passed by the Senate April 8, 2015.
Approved by the Governor April 22, 2015.
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