

E2SHB 1622 - S AMD 741
By Senator Angel

NOT ADOPTED 02/28/2018

1 On page 6, beginning on line 11, strike all material through
2 "year." on line 14 and insert the following:

3 ~~"((All decisions to adopt or amend codes of statewide application~~
4 ~~shall be made prior to December 1 of any year and shall not take~~
5 ~~effect before the end of the regular legislative session in the next~~
6 ~~year.)) (6)(a) All council decisions to adopt or amend codes of~~
7 statewide application must be made prior to December 1st of any year.
8 All council decisions must be brought to the legislature in the form
9 of agency request legislation by the department of enterprise
10 services and do not take effect unless the legislature acts to allow
11 implementation of the code updates referenced in RCW 19.27.031 before
12 the end of the regular legislative session in the next year.

13 (b) Allowing the implementation does not constitute legislative
14 approval of the code updates admissible in any court as evidence of
15 legislative intent."

16 On page 8, after line 20, insert the following:

17 "**Sec. 8.** RCW 19.27A.025 and 1991 c 122 s 3 are each amended to
18 read as follows:

19 (1) The minimum state energy code for new nonresidential
20 buildings shall be the Washington state energy code, 1986 edition, as
21 amended. The state building code council may, by rule adopted
22 pursuant to chapter 34.05 RCW, amend that code's requirements for new
23 nonresidential buildings provided that:

24 (a) Such amendments increase the energy efficiency of typical
25 newly constructed nonresidential buildings; and

26 (b) Any new measures, standards, or requirements adopted must be
27 technically feasible, commercially available, and cost-effective to
28 building owners and tenants.

29 (2) In considering amendments to the state energy code for
30 nonresidential buildings, the state building code council shall
31 establish and consult with a technical advisory committee including
32 representatives of appropriate state agencies, local governments,

1 general contractors, building owners and managers, design
2 professionals, utilities, and other interested and affected parties.

3 (3)(a) All council decisions to amend the Washington state energy
4 code for new nonresidential buildings ((shall)) require approval by
5 at least a majority of the council and must be made prior to December
6 ((15th)) 1st of any year. All council decisions must be brought to
7 the legislature in the form of agency request legislation by the
8 department of enterprise services and ((shall)) do not take effect
9 unless the legislature acts to allow implementation of the code
10 updates referenced in RCW 19.27.031 before the end of the regular
11 legislative session in the next year. ((Any disputed provisions
12 within an amendment presented to the legislature shall be approved by
13 the legislature before going into effect. A disputed provision is one
14 which was adopted by the state building code council with less than a
15 two-thirds majority vote.))

16 (b) Allowing the implementation does not constitute legislative
17 approval of the code updates admissible in any court as evidence of
18 legislative intent.

19 (4) Substantial amendments to the code shall be adopted no more
20 frequently than every three years.

21 **Sec. 9.** RCW 19.27A.045 and 1990 c 2 s 5 are each amended to read
22 as follows:

23 (1) The state building code council shall maintain the state
24 energy code for residential structures in a status which is
25 consistent with the state's interest as set forth in section 1,
26 chapter 2, Laws of 1990. In maintaining the Washington state energy
27 code for residential structures, beginning in 1996 the council shall
28 review the Washington state energy code every three years.

29 (2) After January 1, 1996, by rule adopted pursuant to chapter
30 34.05 RCW, the council may amend any provisions of the Washington
31 state energy code to increase the energy efficiency of newly
32 constructed residential buildings. ((Decisions to amend the
33 Washington state energy code for residential structures shall be made
34 prior to December 1 of any year and shall not take effect before the
35 end of the regular legislative session in the next year.))

36 (3)(a) All council decisions to amend the Washington state energy
37 code for residential structures requires approval by at least a
38 majority of the council and must be made prior to December 1st of any
39 year. All council decisions must be brought to the legislature in the

1 form of agency request legislation by the department of enterprise
2 services and do not take effect unless the legislature acts to allow
3 implementation of the code updates referenced in RCW 19.27.031 before
4 the end of the regular legislative session in the next year.

5 (b) Allowing the implementation does not constitute legislative
6 approval of the code updates admissible in any court as evidence of
7 legislative intent."

8 Renumber the remaining sections consecutively and correct any
9 internal references accordingly.

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10 On page 1, line 2 of the title, after "19.27A.020," insert
11 "19.27A.025, 19.27A.045,"

EFFECT: Requires all State Building Code Council decisions to amend the Washington State Building Code and Washington State Energy Code to be brought to the legislature as agency request legislation. Provides that amendments do not take effect unless the legislature acts to allow implementation before the end of the next regular legislative session.

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