
Local Government Committee

HB 1770

Brief Description: Strengthening energy codes.

Sponsors: Representatives Duerr, Ramel, Berry, Dolan, Fitzgibbon, Ryu, Wylie, Berg, Davis, Goodman, Macri, Peterson, Slatter, Valdez, Pollet, Hackney, Kloba and Frame; by request of Office of the Governor.

Brief Summary of Bill

- Updates the minimum State Energy Code requirements for residential and nonresidential construction.
- Requires new buildings to be net-zero ready.
- Requires the State Building Code Council to adopt a statewide residential reach code and requires the Department of Commerce to develop a proposal covering the technical provisions.
- Preempts local residential codes with the Washington State Energy Code and the Statewide Residential Reach Code.

Hearing Date: 1/19/22

Staff: Elizabeth Allison (786-7129).

Background:

The State Energy Code (Code) is part of the State Building Code, which sets the minimum construction requirements for buildings in the state. The Code provides a maximum and minimum level of energy efficiency for residential buildings and the minimum level of energy efficiency for nonresidential buildings. The State Building Code Council (Council) maintains the Code. Unless otherwise amended by rule, the Code must reflect the 2006 edition. The Code

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

for residential structures preempts the residential energy code of each city, town, and county in Washington, unless the local jurisdiction's residential energy code exceeds the requirements of the Code and was adopted before March 1, 1990. The Council reviews, updates, and adopts model state building codes every three years. The Code must be designed to:

- construct increasingly energy efficient homes and buildings that help achieve the broader goal of building zero new fossil-fuel greenhouse gas (GHG) emission homes and buildings by the year 2031;
- require new buildings to meet a certain level of energy efficiency, but allow flexibility in building design, construction, and heating equipment efficiencies within that framework; and
- allow space heating equipment efficiency to offset or substitute for building envelope thermal performance.

The Council must adopt state energy codes that require buildings constructed from 2013 through 2031 to move incrementally toward a 70 percent reduction in energy use by 2031. The Code must consider regional climatic conditions. The Council may amend the Code by rule if the amendments increase energy efficiency in the affected buildings.

Residential and nonresidential construction permitted under the 2031 state energy code must achieve a 70 percent reduction in annual net energy consumption using the adopted 2006 Washington state energy code as a baseline.

A reach code is an energy code that goes beyond the state minimum requirements for energy use.

Summary of Bill:

Residential and nonresidential construction must meet the following energy requirements:

- A reduction of least 70 percent in annual net energy consumption under the residential and nonresidential energy codes that become effective in 2031, using the adopted 2006 Washington State Energy Code as a baseline; and
- New buildings must be net-zero ready, including a reduction of at least 80 percent in annual net energy consumption using the adopted 2006 Washington State Energy Code as a baseline. These buildings must also include wiring for photovoltaic panel installation under the residential and nonresidential state energy codes that are adopted by the council by 2034.

The SBCC must define and include net-zero ready measures in the code adoption process.

Cities and counties must enforce the Washington State Energy Code for residential buildings or adopt the statewide residential reach code. The reach code may not exceed net-zero energy use. Any local residential energy code is preempted.

The SBCC must adopt by rule a statewide residential reach code for optional adoption and enforcement by any city or county. The statewide residential reach code must achieve the

reductions in energy consumption and greenhouse gas emissions required in the 2031 energy code for residential buildings. The Department of Commerce must develop a proposal covering the technical provisions of the reach code. The SBCC must adopt the statewide residential reach code as an appendix to the 2021 Residential Energy Code to be effective by 2023.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.