

CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1899

Chapter 143, Laws of 2024

68th Legislature
2024 Regular Session

2023 WILDFIRES—DISASTER RELIEF PAYMENT PROGRAM

EFFECTIVE DATE: March 18, 2024

Passed by the House March 6, 2024
Yeas 96 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 1, 2024
Yeas 45 Nays 1

DENNY HECK

President of the Senate

Approved March 18, 2024 3:10 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1899** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 19, 2024

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1899

AS AMENDED BY THE SENATE

Passed Legislature - 2024 Regular Session

State of Washington

68th Legislature

2024 Regular Session

By House Appropriations (originally sponsored by Representatives Volz, Schmidt, Chapman, Graham, Rule, Leavitt, Waters, Low, Christian, Couture, McClintock, Barnard, Jacobsen, Timmons, Schmick, Dent, Cheney, Sandlin, and Griffey)

READ FIRST TIME 02/05/24.

1 AN ACT Relating to facilitating reconstruction of communities
2 damaged or destroyed by wildfires; adding a new section to chapter
3 43.31 RCW; creating new sections; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** In recent years, devastating wildfires
6 have destroyed homes, businesses, and infrastructure. These wildfires
7 have become more frequent and more destructive due to the effects of
8 climate change. Since the original construction of many of the lost
9 structures, technological advances have made possible more energy
10 efficient buildings, greater use of electric vehicles, and more
11 opportunities to utilize solar energy. The insurance coverage for the
12 destroyed structures, however, may not cover reconstruction utilizing
13 new methods and technologies. As a result, many buildings may be
14 rebuilt in less efficient ways that require greater use of greenhouse
15 gases. These greenhouse gases, in turn, will exacerbate the threat of
16 wildfires.

17 It is the intent of the legislature to assist in disrupting this
18 cycle. By making disaster relief payments available to local
19 governments, businesses, and individuals to repair or replace damaged
20 or destroyed buildings in more energy efficient and environmentally
21 friendly ways, the legislature will encourage a more sustainable use

1 of resources and increased climate resilience with resulting
2 environmental benefits for all of the people of the state. It is the
3 intent of the legislature that the assistance provided in this act be
4 considered disaster relief payments by the internal revenue service.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.31
6 RCW to read as follows:

7 (1) Subject to the availability of amounts appropriated for this
8 specific purpose, the department of commerce shall establish and
9 administer a disaster relief payment program to provide assistance to
10 qualifying property owners and local governments that had buildings
11 destroyed or damaged in a wildfire occurring between August 1 and
12 October 1, 2023. The department shall develop a system for the
13 submission and evaluation of disaster relief payment applications in
14 consultation with the emergency management division of the state
15 military department and tribal and local government emergency
16 management authorities. The system developed by the department must
17 ensure that the disaster relief payments are only used for the
18 purposes specified in this section.

19 (2) Disaster relief payments may only be awarded to property
20 owners who had buildings damaged or destroyed during a wildfire and
21 that meet the following criteria:

22 (a) The area in which the building was damaged or destroyed was
23 under a state of emergency declared by the governor or a local
24 government due to wildfires occurring in a county located to the east
25 of the crest of the Cascade mountains with a population of at least
26 500,000;

27 (b) The building that was damaged or destroyed was a residential
28 home, including manufactured homes, a multifamily building, a
29 commercial building, or a public building;

30 (c) The same type of building as was damaged or destroyed in the
31 wildfire is being constructed or repaired; and

32 (d) The new or repaired building will comply with all current
33 state building and state energy code requirements in effect at the
34 time of the permit application for the construction or repair.

35 (3) Disaster relief payments awarded under this section may only
36 be used for the purpose of meeting increased energy efficiency
37 standards, providing or increasing electric vehicle charging
38 capacity, and the installation and use of solar panels on a building

1 that did not, prior to being damaged or destroyed, utilize solar
2 panels.

3 (4) The department shall develop criteria for awarding disaster
4 relief payments under this section that is consistent with RCW
5 38.52.030(9) and, as appropriate, with other disaster response and
6 recovery programs. When awarding disaster relief payments, the
7 department must prioritize any building that is owned or rented by a
8 low-income to moderate-income household. Thereafter, the department
9 must award disaster relief payments based upon the amount of energy
10 efficiency, electric vehicle charging capacity, or solar panels
11 installation that will occur, with disaster relief payments going
12 first to those buildings which will yield the greatest environmental
13 benefits.

14 (5) For the purposes of this section:

15 (a) "Increased energy efficiency standards" means energy code
16 standards under chapter 19.27A RCW that have increased between the
17 time the building was originally constructed and the time that it is
18 to be repaired or rebuilt.

19 (b) "Local government" means a city, town, county, or special
20 purpose district.

21 (c) "Low-income or moderate-income household" means a single
22 person, family, or unrelated persons living together whose adjusted
23 income is at or below 120 percent of the median household income
24 adjusted for household size, for the county where the household is
25 located, as reported by the United States department of housing and
26 urban development.

27 (d) "Public building" means a building or building wholly owned
28 and used by a local government.

29 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
30 preservation of the public peace, health, or safety, or support of
31 the state government and its existing public institutions, and takes
32 effect immediately.

33 NEW SECTION. **Sec. 4.** If specific funding for the purposes of
34 this act, referencing this act by bill or chapter number, is not
35 provided by June 30, 2024, in the omnibus appropriations act, this
36 act is null and void.

Passed by the House March 6, 2024.
Passed by the Senate March 1, 2024.

Approved by the Governor March 18, 2024.
Filed in Office of Secretary of State March 19, 2024.

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