

CERTIFICATION OF ENROLLMENT

**ENGROSSED SENATE BILL 5831**

Chapter 64, Laws of 1993

53rd Legislature  
1993 Regular Session

UTILITY PAYMENTS TO OWNERS OF ELECTRICALLY HEATED  
RESIDENTIAL BUILDINGS

EFFECTIVE DATE: 4/19/93

Passed by the Senate March 15, 1993  
YEAS 47 NAYS 0

R. LORRAINE WOJAHN

**President of the Senate**

Passed by the House April 7, 1993  
YEAS 98 NAYS 0

BRIAN EBERSOLE

**Speaker of the  
House of Representatives**

Approved April 19, 1993

MIKE LOWRY

**Governor of the State of Washington**

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5831** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

**Secretary**

FILED

April 19, 1993 - 2:04 p.m.

**Secretary of State  
State of Washington**

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ENGROSSED SENATE BILL 5831

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Passed Legislature - 1993 Regular Session

State of Washington                      53rd Legislature                      1993 Regular Session

By Senators Barr, Sutherland and McCaslin

Read first time 02/16/93. Referred to Committee on Energy & Utilities.

1            AN ACT Relating to specifying that payments to building owners  
2 authorized under RCW 19.27A.035 are available only if the primary heat  
3 source of a structure is electricity; amending RCW 19.27A.035;  
4 creating a new section; and declaring an emergency.

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

6            NEW SECTION.    **Sec. 1.** The legislature finds that when new energy-  
7 efficient residential building codes were enacted in 1990, payments to  
8 certain building owners were required in an effort to offset the higher  
9 costs of more stringent component levels of residences heated with  
10 electricity. The legislature further finds that through the code  
11 enacted by the state building code council it is possible for owners of  
12 residences with other primary heat sources to qualify for these  
13 payments even though the costs of these payments are borne by  
14 electricity ratepayers, and that this situation should be corrected.

15            **Sec. 2.** RCW 19.27A.035 and 1990 c 2 s 4 are each amended to read  
16 as follows:

17            (1) Electric utilities shall make payments to the owner at the time  
18 of construction of a newly constructed residential building with

1 electric resistance space heat built in compliance with the  
2 requirements of the Washington state energy code adopted pursuant to  
3 RCW 19.27A.020 or a residential energy code in effect pursuant to RCW  
4 19.27A.020(7). Payments made under this section are only required for  
5 residences in which the primary heat source is electric resistance  
6 space heat. All or a portion of the funds for payments may be accepted  
7 from federal agencies or other sources. Payments are required for  
8 residential buildings on which construction has begun on or after July  
9 1, 1991, and prior to July 1, 1995. Payments in an amount equal to a  
10 fixed sum of at least nine hundred dollars per single family residence  
11 are required for such buildings so constructed which are single family  
12 residences having two thousand square feet or less of finished floor  
13 area. Payments in an amount equal to a fixed sum of at least three  
14 hundred ninety dollars per multifamily residential unit, are required  
15 for such buildings so constructed which are multifamily residential  
16 units. For purposes of this section, a zero lot line home and each  
17 unit in a duplex and each attached housing unit in a planned unit  
18 development shall each be considered a single family residence.

19 (2) Electric utilities which provide electrical service in  
20 jurisdictions in which the local government has adopted an energy code  
21 not preempted by RCW 19.27A.020(7)(b) shall make payments as provided  
22 in subsection (1) of this section for residential buildings on which  
23 construction has begun on or after March 1, 1990, and prior to July 1,  
24 1991.

25 (3) Nothing in this section shall prohibit an electric utility from  
26 providing incentives in excess of the payments required by this section  
27 or from providing additional incentives for energy efficiency measures  
28 in excess of those required under RCW 19.27A.020.

29 (4) This section is null and void if any electric utility providing  
30 electric service to its customers in the state of Washington purchases  
31 at least one percent of its firm energy load from a federal agency,  
32 pursuant to section 5.(b)(1) of the Pacific Northwest electric power  
33 planning and conservation act (P.L. 96-501), and if such electric  
34 utility is unable to obtain from the agency at least fifty percent of  
35 the funds to make the payments required by this section. This  
36 subsection shall expire June 30, 1995.

37 (5) The utilities and transportation commission shall provide an  
38 appropriate regulatory mechanism which allows a utility regulated by

1 the commission to recover expenses incurred by the utility in making  
2 payments under this section.

3 (6) Subsections (1) through (3) of this section shall expire July  
4 1, 1996.

5 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
6 preservation of the public peace, health, or safety, or support of the  
7 state government and its existing public institutions, and shall take  
8 effect immediately.

Passed the Senate March 15, 1993.

Passed the House April 7, 1993.

Approved by the Governor April 19, 1993.

Filed in Office of Secretary of State April 19, 1993.