**1952-S.E AMS LBRC S5464.2 - NOT FOR FLOOR USE**

**ESHB 1952** - S COMM AMD

By Committee on Labor & Commerce

**ADOPTED AS AMENDED 02/28/2018**

Strike everything after the enacting clause and insert the following:

"**Sec.**  RCW 19.28.010 and 2001 c 211 s 2 are each amended to read as follows:

(1) All wires and equipment, and installations thereof, that convey electric current and installations of equipment to be operated by electric current, in, on, or about buildings or structures, except for telephone, telegraph, radio, and television wires and equipment, and television antenna installations, signal strength amplifiers, and coaxial installations pertaining thereto shall be in strict conformity with this chapter, the statutes of the state of Washington, and the rules issued by the department, and shall be in conformity with approved methods of construction for safety to life and property. All wires and equipment that fall within section 90.2(b)(5) of the National Electrical Code, 1981 edition, are exempt from the requirements of this chapter. The regulations and articles in the National Electrical Code, the national electrical safety code, and other installation and safety regulations approved by the national fire protection association, as modified or supplemented by rules issued by the department in furtherance of safety to life and property under authority hereby granted, shall be prima facie evidence of the approved methods of construction. All materials, devices, appliances, and equipment used in such installations shall be of a type that conforms to applicable standards or be indicated as acceptable by the established standards of any electrical product testing laboratory which is accredited by the department. Industrial control panels, utilization equipment, and their components do not need to be listed, labeled, or otherwise indicated as acceptable by an accredited electrical product testing laboratory unless specifically required by the National Electrical Code, 1993 edition.

(2) Residential buildings or structures moved into or within a county, city, or town are not required to comply with all of the requirements of this chapter, if the original occupancy classification of the building or structure is not changed as a result of the move. This subsection shall not apply to residential buildings or structures that are substantially remodeled or rehabilitated.

(3) This chapter shall not limit the authority or power of any city or town to enact and enforce under authority given by law, any ordinance, rule, or regulation requiring an equal, higher, or better standard of construction and an equal, higher, or better standard of materials, devices, appliances, and equipment than that required by this chapter. A city or town shall require that its electrical inspectors meet the qualifications provided for state electrical inspectors in accordance with RCW 19.28.321. In a city or town having an equal, higher, or better standard the installations, materials, devices, appliances, and equipment shall be in accordance with the ordinance, rule, or regulation of the city or town.

(4) The officials of all incorporated cities and towns where electrical inspections are required by local ordinances may enforce the provisions of RCW 19.28.041(1), 19.28.161, 19.28.271(1), 19.28.420(1), and applicable licensing and certification rules within their respective jurisdictions. Nothing in this subsection diminishes the authority of the department to enforce the provisions of RCW 19.28.041(1), 19.28.161, 19.28.271(1), 19.28.420(1), and applicable licensing and certification rules within any city or town.

(5) Electrical equipment associated with spas, hot tubs, swimming pools, and hydromassage bathtubs shall not be offered for sale or exchange unless the electrical equipment is certified as being in compliance with the applicable product safety standard by bearing the certification mark of an approved electrical products testing laboratory.

((~~(4)~~)) (6) Nothing in this chapter may be construed as permitting the connection of any conductor of any electric circuit with a pipe that is connected with or designed to be connected with a waterworks piping system, without the consent of the person or persons legally responsible for the operation and maintenance of the waterworks piping system.

NEW SECTION. **Sec.**  A new section is added to chapter 19.28 RCW to read as follows:

(1) In matters of enforcement of this chapter by officials of incorporated cities and towns where electrical inspections are required by local ordinances, any person, firm, partnership, corporation, or other entity found in violation of RCW 19.28.161 or 19.28.271(1) must be assessed a penalty of not less than fifty dollars or more than five hundred dollars. Any person, firm, partnership, corporation, or other entity violating any of the provisions of RCW 19.28.041(1) must be assessed a penalty of not less than fifty dollars or more than ten thousand dollars. Any person, firm, partnership, corporation, or other entity violating any of the provisions of RCW 19.28.420(1) may be assessed a penalty of not less than one hundred dollars or more than ten thousand dollars per violation. Any penalty issued under this section is subject to review by an appeal to the board, as is provided in RCW 19.28.131. The appeal shall be filed within twenty days after the notice of the penalty is given to the assessed party using a method by which the mailing can be tracked or the delivery can be confirmed, sent to the last known address of the assessed party and shall be made by filing a written notice of appeal with the department.

(2) No person, firm, partnership, corporation, or other entity may be penalized by both a city or town and the department for the same violation of RCW 19.28.041(1), 19.28.161, 19.28.271(1), 19.28.420(1), or applicable licensing and certification rules.

(3) RCW 19.28.131, 19.28.271 (2) and (3), and 19.28.490 do not apply in matters of enforcement of this chapter by officials of incorporated cities and towns where electrical inspections are required by local ordinances."

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On page 1, line 1 of the title, after "laws;" strike the remainder of the title and insert "amending RCW 19.28.010; adding a new section to chapter 19.28 RCW; and prescribing penalties."

EFFECT: (1) Provides that any penalties issued by a city or town under the bill may be appealed to the electrical board.

(2) Provides that no person or entity may be penalized by both a city or town and the department of labor and industries for the same violation of electrical laws or rules.

(3) Removes a provision that makes the electrical board member who is a building official of a city or town with an electrical inspection program a voting member.