

# SENATE BILL REPORT

## ESHB 2327

---

As Reported by Senate Committee On:  
Energy, Environment & Technology, February 22, 2018

**Title:** An act relating to appliance efficiency standards.

**Brief Description:** Concerning appliance efficiency standards.

**Sponsors:** House Committee on Technology & Economic Development (originally sponsored by Representatives Morris, Hudgins, Tarleton, Fey, Slatter, Fitzgibbon, Macri, Ormsby and Doglio).

**Brief History:** Passed House: 2/13/18, 53-45.

**Committee Activity:** Energy, Environment & Technology: 2/21/18, 2/22/18 [DPA, DNP].

### Brief Summary of Amended Bill

- Establishes new minimum efficiency and testing standards for certain appliances.
- Amends the state efficiency and testing standards for showerheads.
- Repeals certain water conservation performance standards.

---

## SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TECHNOLOGY

**Majority Report:** Do pass as amended.

Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Hobbs, McCoy, Ranker, Sheldon and Wellman.

**Minority Report:** Do not pass.

Signed by Senators Ericksen, Ranking Member; Brown and Hawkins.

**Staff:** Angela Kleis (786-7469)

**Background:** Federal law generally allows states to establish minimum efficiency and testing standards for products that are not covered by federal appliance efficiency regulations. Once a federal efficiency standard is established for a given appliance, the federal standard

---

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

will preempt existing state standards unless the state is granted a waiver of federal preemption.

Washington law sets minimum efficiency and testing standards for several categories of appliances sold, offered for sale, or installed in the state, including water dispensers, portable electric spas, showerheads, and wine chillers.

**Summary of Amended Bill:** New state efficiency and testing standards are established for the following products:

- faucets;
- spray sprinkler bodies;
- showerheads; and
- urinals and water closets.

Products manufactured on or after January 1, 2020, may not be sold or offered for sale, lease, or rent in the state unless the efficiency of the new product meets or exceeds the state efficiency standards.

Showerhead tub spout diverter combinations must meet both the state standards for showerheads and tub spout diverters.

The definition of a showerhead is amended to include a body sprayer and handheld showerhead but not a safety showerhead.

Certain water conservation performance standards are repealed.

**EFFECT OF ENERGY, ENVIRONMENT & TECHNOLOGY COMMITTEE AMENDMENT(S):**

- Removes revisions to all appliance efficiency standards except for establishing standards and testing standards for certain water appliances such as faucets, showerheads, and tub spout diverters.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Engrossed Substitute House Bill:** *The committee recommended a different version of the bill than what was heard.* PRO: The standards outlined in the bill are well-vetted, common-sense efficiency standards. The federal government is not taking the lead on efficiency standards. We are working with other states who are looking into these same standards. The codes currently in statute have not been updated in a while.

CON: The bill is not well-vetted. We have issues with inclusion HCR lamps, air purifiers, ventilation hoods, and consumer technology products. The standards developed by the association do not match up with conclusions made by engineers at our companies. Consumer technology products are dramatically different from appliances.

The Energy Star Program is voluntary which fosters innovation and sets a high bar for top quality products. Making the standards mandatory undermines the program.

This bill will affect the supply chain and limit the types of products that can be sold in stores. This will increase the price of products in stores, which will greatly affect low-income households and small businesses. We would rather work with Commerce to conduct a GAP analysis.

**Persons Testifying:** PRO: Amy Wheelless, NW Energy Coalition; Chuck Murray, Washington Department of Commerce; Bruce Wishart, CELP / Sierra Club.

CON: Charlie Brown, Consumer Technology Association and National Electrical Manufacturers Association; Doug Johnson, Consumer Technology Association; Mary Catherine McAleer, Association of Washington Business; Kevin Messner, Association of Home Appliance Manufacturers; Mark Johnson, Washington Retail Association; Joanie Deutsch, TechNet.

**Persons Signed In To Testify But Not Testifying:** No one.