

# SENATE BILL REPORT

## SB 5641

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As of January 18, 2022

**Title:** An act relating to promoting local agriculture through greenhouses.

**Brief Description:** Promoting local agriculture through greenhouses.

**Sponsors:** Senators Short and Wilson, L..

**Brief History:**

**Committee Activity:** Agriculture, Water, Natural Resources & Parks: 1/18/22.

**Brief Summary of Bill**

- Provides that the State Building Code does not apply to any temporary growing structures used solely for the production of horticultural plants.
- Establishes that a temporary growing structure is not considered a structure for purposes of the State Building Code.

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### SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

**Staff:** Karen Epps (786-7424)

**Background:** State Building Code. The State Building Code establishes minimum performance standards and requirements for construction and construction materials in the state, consistent with accepted standards of engineering, fire, and life safety. The code comprises a number of model codes and standards, developed and published by international and national organizations, which are adopted by reference in the State Building Code Act. Model codes and standards adopted in the act include the International Building Code, the International Residential Code, and the International Fire Code standards.

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*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.*

State Building Code Council. The State Building Code Council is responsible for adopting, amending, and maintaining the model codes and standards adopted by reference in the act. Amendments to the model codes and standards adopted by the council are codified in the Washington Administrative Code. The council reviews updated editions of each model code and standard every three years

Temporary Growing Structures. The State Building Code does not apply to temporary growing structures used solely for the commercial production of horticultural plants including ornamental plants, flowers, vegetables, and fruits. A temporary growing structure is not considered a building for purposes of the State Building Code.

"Temporary growing structure" means a structure that has the sides and roof covered with polyethylene, polyvinyl, or similar flexible synthetic material and is used to provide plants with either frost protection or increased heat retention.

**Summary of Bill:** The State Building Code does not apply to temporary growing structures used solely for the production of horticultural plants, rather than the commercial production of horticultural plants. A temporary growing structure is not considered a structure for purposes of the State Building Code. "Temporary growing structure" is defined as a structure that has the roof covered, rather than the sides and the roof, with polyethylene, polyvinyl, or similar flexible synthetic material and is used to provide plants with either frost protection or increased heat retention.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**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:** PRO: The bill is designed to look for opportunities and ways to encourage production in greenhouses beyond commercial operations. When thinking about food insecurity, food grown in these greenhouses can help deal with food insecurity in communities. The bill does three things: extends the exemption on greenhouses to include earth-sheltered greenhouses, extends the exemption from commercial to non-commercial greenhouses, and encourages low-energy, new technology to address the food security issue at the local level. This bill will allow local growers to meet the need to supply food locally.

**Persons Testifying:** PRO: Senator Shelly Short, Prime Sponsor; scott simmons, Hall Creek Farms.

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