

2SHB 1903 - H AMD TO H AMD (H-3562.1/26) **1691**
By Representative Dye

NOT ADOPTED 02/14/2026

1 Beginning on page 1, line 3, strike all material through "law."
2 on page 7, line 3 and insert the following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that there is
4 an urgent need for stronger policy and a new program option to secure
5 universally accessible low-income energy bill assistance and reduce
6 the \$275,000,000 annual energy burden in Washington. Many income-
7 eligible households do not have sufficient support. The department of
8 commerce November 2024 study of options for a statewide energy
9 assistance program in Washington lays out core features of a just
10 system to expand and secure access to energy affordability measures.
11 To address present and widening disparities in household access to
12 energy assistance will require easier applications, safe data
13 sharing, low barrier eligibility determinations, systematic processes
14 for filling in gaps in the reach of existing programs, and guaranteed
15 funding sources. The recommended program design promotes a more
16 centralized approach to energy assistance. Key elements include those
17 that reduce administrative burdens, but also improve the experience
18 and likelihood that an eligible household receives assistance.

19 (2) It is the intent of the legislature for the department of
20 commerce to phase in this program across utilities and home heating
21 fuel types, prioritizing areas of the state with a disproportionate
22 share of low-income households in energy assistance need and where
23 low-income monthly bill assistance programs targeted at addressing
24 energy assistance need are lacking.

25 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.330
26 RCW to read as follows:

27 The definitions in this section apply throughout sections 3 and 4
28 of this act unless the context clearly requires otherwise.

29 (1) "Low-income" has the same meaning as in RCW 19.405.020.

30 (2) "Community action council" has the same meaning as "community
31 action agency" in RCW 43.185C.010.

1 (3) "Energy assistance" means monetary assistance, such as a
2 grant program or discounts for low-income households, that lowers a
3 low-income household's energy burden.

4 (4) "Energy burden" has the same meaning as in RCW 19.405.020.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.330
6 RCW to read as follows:

7 (1) The statewide low-income energy assistance program is
8 established within the department. The purpose of the program is to
9 reduce energy burden for low-income households in Washington. The
10 department must begin providing energy assistance through the program
11 by October 1, 2027. The department, in consultation with the
12 utilities and transportation commission, must write rules to
13 implement this section. The rules to implement this section may not
14 require any utility to participate in the statewide low-income energy
15 assistance program.

16 (2) The department must create and update a list of low-income
17 households eligible to participate in the statewide program by June
18 30th on odd-numbered years.

19 (3) In accordance with subsection (4) of this section, the
20 department must establish enrollment details which must include, but
21 are not limited to:

22 (a) All low-income households are eligible to participate in the
23 program;

24 (b) Low-income households may apply directly to the program;

25 (c) Low-income households may apply to the utility from which
26 they receive service if the utility has voluntarily chosen to serve
27 as coadministrator of the program;

28 (d) Low-income households may apply through a community action
29 council for state-funded energy assistance in partnership with the
30 participating utility;

31 (e) Low-income households may self-attest that they meet income
32 qualifications;

33 (f) The department may verify that applicants and participants
34 meet the income qualifications, and may work with utilities and
35 community action councils to conduct this verification;

36 (g) There is no risk to eligibility based on immigration status
37 or income self-attestation; and

38 (h) The department must explore auto-enrollment of known eligible
39 households.

1 (4) An electric utility may only participate in the program
2 established under this section following an affirmative vote by the
3 utility's governing board in the case of consumer-owned utilities or
4 an order by the utilities and transportation commission for investor-
5 owned utilities.

6 (a) The department may not, by regulation, require utilities to
7 participate in the program established under this section.

8 (b) A consumer-owned utility may end its participation in the
9 program established under this section by vote of its governing
10 board. An investor-owned utility may end its participation in the
11 program established under this section by order of the utilities and
12 transportation commission. An electric utility must provide the
13 department six months' notice before ending participation in the
14 program established under this section.

15 (5) An electric utility participating in the program established
16 under this section is deemed in compliance with the requirements of
17 RCW 19.405.120.

18 (6) The department may enter into agreements with utilities to
19 serve as coadministrators of the statewide low-income energy
20 assistance program for the purposes of enhancing customer engagement,
21 facilitating enrollment of eligible customers, and sharing
22 administrative duties with the department. Serving as a
23 coadministrator is voluntary for utilities.

24 (7) Subject to appropriation, the department must phase in the
25 program across utilities and home heating fuel types, prioritizing
26 areas of the state with a disproportionate share of low-income
27 households in energy assistance need and where low-income monthly
28 bill assistance programs targeted at addressing energy assistance
29 need are lacking.

30 (8)(a) Subject to appropriation, the department must administer
31 the program by identifying the low-income customer accounts to
32 receive assistance and the amount of assistance for each account, and
33 providing funds to utilities that participate in the program. The
34 utilities must pass these funds on to their low-income residential
35 customers and show the amount of energy assistance on the customers'
36 monthly bills.

37 (b) The discount or dollar amount of energy assistance that the
38 department provides to low-income households must be tiered to
39 provide the most assistance to the households with the greatest need.

1 (c) The department and each utility's obligation to provide
2 energy assistance under the statewide program is based on available
3 funding appropriated for this specific purpose. It is the intent of
4 the legislature that sustained funding shall be provided to meet low-
5 income household needs from climate commitment act auction revenues
6 or other state general fund dollars.

7 (9) The department must submit a report to the governor and
8 legislature that includes a program evaluation of the statewide low-
9 income energy assistance program by July 1st in every even-numbered
10 year. The advisory group established in section 4 of this act must
11 advise the department on the program evaluation, which must include
12 meaningful metrics around equitable access and overall program
13 delivery.

14 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.330
15 RCW to read as follows:

16 Subject to appropriation, the department must establish an
17 advisory group for the statewide low-income energy assistance
18 program, which must include, but is not limited to, members from low-
19 income households and representatives of urban and rural utilities.
20 The advisory group must be composed of a diverse group of
21 stakeholders and must be established by the department before program
22 implementation to help inform program development. The advisory group
23 must advise the department throughout program implementation and on
24 the program evaluation required in section 3 of this act.

25 **Sec. 5.** RCW 19.405.120 and 2019 c 288 s 12 are each amended to
26 read as follows:

27 (1) It is the intent of the legislature to demonstrate progress
28 toward ~~((making energy assistance funds available to low-income~~
29 ~~households)) addressing the disproportionate impacts of home energy
30 bills on low-income households and reduce energy burden associated
31 with electricity use consistent with the policies identified in this
32 section.~~

33 (2) (a) An electric utility must ~~((make programs and funding~~
34 ~~available)) offer at least one program for energy assistance
35 associated with electricity use to eligible low-income households
36 ~~((by July 31, 2021)).~~~~

1 (b) An electric utility's participation in the statewide low-
2 income energy assistance program established under chapter 43.330 RCW
3 satisfies compliance with this section.

4 (3) Each utility must demonstrate progress in providing energy
5 assistance ((pursuant to the assessment and plans in subsection (4)
6 of this section)) associated with electricity use using any
7 combination of funds, including funds provided by the utility, public
8 agencies, nonprofit service providers, or private donations. To the
9 extent practicable, priority must be given to low-income households
10 with a higher energy burden.

11 ~~((3))~~ (4) Beginning July 31, 2020, the department must collect
12 and aggregate data estimating the energy burden and energy assistance
13 need and reported energy assistance for each electric utility, in
14 order to improve agency and utility efforts to serve low-income
15 households with energy assistance. The department must update the
16 aggregated data on a biennial basis, make it publicly accessible on
17 its internet website and, to the extent practicable, include
18 geographic attributes.

19 (a) The aggregated data published by the department must include,
20 but is not limited to:

21 (i) The estimated number and demographic characteristics of
22 households served by energy assistance for each electric utility and
23 the dollar value of the assistance;

24 (ii) The estimated level of energy burden and energy assistance
25 need among customers served, accounting for household income and
26 other drivers of energy burden;

27 (iii) Housing characteristics including housing type, home
28 vintage, and fuel types; and

29 (iv) Energy efficiency potential.

30 (b) Each electric utility must disclose information to the
31 department for use under this subsection, including:

32 (i) The amount and type of energy assistance and the number ~~((and~~
33 ~~type))~~ of households ~~((, if applicable,))~~ served ~~((for))~~ by programs
34 administered by the utility;

35 (ii) The amount of ~~((money))~~ utility-provided funds passed
36 through to third parties that administer energy assistance programs;
37 ~~((and))~~

38 (iii) The amount of money used to mitigate rate impacts to low-
39 income customers and a description of any other benefits provided to

1 ratepayers from the sale of allowances as required under RCW
2 70A.65.120(4), if applicable; and

3 (iv) Subject to availability, any other information related to
4 the utility's low-income assistance programs that is requested by the
5 department.

6 (c) The information required by (b) of this subsection must be
7 from the electric utility's most recent completed budget period and
8 in a form, timeline, and manner as prescribed by the department.

9 ~~((4)(a))~~ (5) In addition to the requirements under subsection
10 ~~((3))~~ (4) of this section, each electric utility must submit
11 biennially to the department ~~((an assessment))~~ a description of:

12 ~~((i))~~ (a) The programs and mechanisms used by the utility to
13 reduce energy burden ~~((and the effectiveness of those programs and~~
14 ~~mechanisms in both short-term and sustained energy burden~~
15 ~~reductions))~~ associated with electricity use;

16 ~~((ii))~~ (b) The outreach strategies used to encourage
17 participation of eligible households, including consultation with
18 community-based organizations and Indian tribes as appropriate ~~((, and~~
19 ~~comprehensive enrollment campaigns that are linguistically and~~
20 ~~culturally appropriate to the customers they serve in vulnerable~~
21 ~~populations)); and~~

22 ~~((iii))~~ (c) A cumulative assessment of ~~((previous funding~~
23 ~~levels for energy assistance compared to the funding levels needed to~~
24 ~~meet: (A) Sixty percent of the current energy assistance need, or~~
25 ~~increasing energy assistance by fifteen percent over the amount~~
26 ~~provided in 2018, whichever is greater, by 2030; and (B) ninety~~
27 ~~percent of the current energy assistance need by 2050))~~ program
28 participation rates and funding levels compared to what is needed to
29 meet energy assistance need.

30 ~~((b) The assessment required in (a) of this subsection must~~
31 ~~include a plan))~~ (6) The department must collate and assess the
32 information provided in subsections 4(b) and 5 of this section and
33 develop recommendations for ways to improve the effectiveness of
34 ~~((the assessed))~~ outreach and enrollment mechanisms and strategies
35 toward meeting the electric energy assistance need. The
36 recommendations developed under this subsection must be included in
37 the department report required by subsection (8) of this section.

38 ~~((5))~~ (7) A consumer-owned utility may enter into an agreement
39 with a public university, community-based organization, or joint
40 operating agency organized under chapter 43.52 RCW to aggregate the

1 disclosures required in this section and submit the assessment
2 required in subsections (~~((3))~~) (4) and (~~((4))~~) (5) of this section.
3 (~~((6))~~) (8)(a) The department must submit a biennial report to
4 the legislature that:
5 (i) Aggregates information into a statewide summary of energy
6 assistance programs, energy burden, and energy assistance need;
7 (ii) Identifies and quantifies current expenditures on low-income
8 energy assistance; and
9 (iii) Evaluates the effectiveness of additional (~~(optimal)~~)
10 mechanisms for energy assistance including, but not limited to,
11 customer rates, a low-income specific discount, system benefits
12 charges, and public and private funds.
13 (b) The department must also assess mechanisms to prioritize
14 energy assistance towards low-income households with a higher energy
15 burden.
16 (~~((7))~~) (9) Nothing in this section may be construed to restrict
17 the rate-making authority of the commission or the governing body of
18 a consumer-owned utility as otherwise provided by law."

EFFECT: • Specifies that utilities may not be required to participate in the statewide low-income energy assistance program (statewide program), and decisions about a utility's participation in the statewide program depend on an affirmative vote by the utility's governing board or an order by the Utilities and Transportation Commission, depending on the type of utility.

• Directs the Department of Commerce (Commerce) to create and update a list of eligible participants for the statewide program every other year, and to identify the amount of assistance for each low-income customer's account.

• Removes the two different pathways for utilities to provide funds, either up-front or through reimbursement, for utilities serving different numbers of customers under the statewide program.

• Removes the requirement that Commerce must ensure benefit levels provided through the statewide program are not less than what a customer received from a utility program the previous year.

• Removes the prohibition on a utility from reducing the level of benefits it provided in the previous year as a result of participating in the statewide program.

• Specifies that Commerce's requirement to establish the statewide program's advisory group is subject to appropriation and requires representatives of urban and rural utilities in the advisory group.

• Specifies that an electric utility participating in the statewide program is deemed in compliance with the requirements to provide energy assistance under the Clean Energy Transformation Act (CETA).

• Makes changes to the CETA energy assistance requirements for electric utilities, including by specifying that these utilities are required to offer at least one program, rather than programs, that energy assistance must be specifically associated with electricity

use, and that utilities may provide energy assistance using any combination of funds.

- Modifies reporting requirements for electric utilities and Commerce under CETA's energy assistance provisions.

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