

2SHB 1903 - H AMD 1662

By Representative Mena

ADOPTED 02/14/2026

1 Strike everything after the enacting clause and insert the
2 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.

14 (2) In accordance with subsection (4) of this section, the
15 department must establish enrollment details which must include, but
16 are not limited to:

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

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

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

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

26 (e) Low-income households may self-attest that they meet income
27 qualifications;

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

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

33 (h) The department must explore auto-enrollment of known eligible
34 households.

35 (3) The department may enter into agreements with utilities to
36 serve as coadministrators of the statewide low-income energy
37 assistance program for the purposes of enhancing customer engagement,
38 facilitating enrollment of eligible customers, and sharing
39 administrative duties with the department. Serving as a

1 coadministrator is voluntary for utilities. If a utility chooses to
2 be a coadministrator, the utility may also choose to be the lead
3 coadministrator.

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

10 (5) (a) The department must administer the program by providing
11 funds to utilities that participate in the program. The utilities
12 must pass these funds on to their low-income residential customers
13 and show the energy assistance on the customers' monthly bills.

14 (b) (i) A utility with more than 25,000 customers in the state
15 that participates in the program must provide energy assistance to
16 customers and then seek reimbursement from the department equal to
17 the energy assistance provided. The department must provide
18 reimbursement within 30 days of receipt of a reimbursement request
19 from the utility.

20 (ii) A utility serving up to 25,000 customers in the state that
21 participates in the program may request that the department provide
22 funds for energy assistance in advance of the utility providing the
23 energy assistance to customers. The department may provide energy
24 assistance upfront with appropriate contractual agreements.

25 (c) The discount or dollar amount that the department provides to
26 low-income households must be tiered to provide the most energy
27 assistance to the households with the greatest need.

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

34 (e) The department must ensure that benefit levels provided
35 through the statewide low-income energy assistance program are not
36 less than what a customer enrolled in their utility program received
37 from their utility program in the previous year.

38 (6) A utility participating in the statewide low-income energy
39 assistance program may not reduce the level of low-income energy
40 assistance, discounts, or affordability benefits it provided in the

1 previous calendar year as a result of participation in the statewide
2 program.

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

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

12 The department must establish an advisory group for the statewide
13 low-income energy assistance program, which must include, but is not
14 limited to, members from low-income households, and at least one
15 member each from a community organization, community action council,
16 an investor-owned utility, and a consumer-owned utility. The advisory
17 group must be composed of a diverse group of stakeholders and must be
18 established by the department before program implementation to help
19 inform program development. The advisory group must advise the
20 department throughout program implementation and on the program
21 evaluation required in section 3 of this act.

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

24 (1) It is the intent of the legislature to demonstrate progress
25 toward ~~((making energy assistance funds available to low-income~~
26 ~~households)) addressing the disproportionate impacts of home energy
27 bills on low-income households and reduce energy assistance need
28 consistent with the policies identified in this section.~~

29 (2) (a) An electric utility must make programs and funding
30 available for energy assistance to low-income households by July 31,
31 2021.

32 (b) An electric utility's participation in the statewide low-
33 income energy assistance program may supplement, but may not replace,
34 the requirements outlined in this section.

35 (3) Each utility must demonstrate progress in providing energy
36 assistance pursuant to the assessment and plans in subsection ~~((+4))~~
37 (5) of this section. To the extent practicable, priority must be
38 given to low-income households with a higher energy burden.

1 (~~(3)~~) (4) Beginning July 31, 2020, the department must collect
2 and aggregate data estimating the energy burden and energy assistance
3 need and reported energy assistance for each electric utility, in
4 order to improve agency and utility efforts to serve low-income
5 households with energy assistance. The department must update the
6 aggregated data on a biennial basis, make it publicly accessible on
7 its internet website and, to the extent practicable, include
8 geographic attributes.

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

11 (i) The estimated number and demographic characteristics of
12 households served by energy assistance for each utility and the
13 dollar value of the assistance;

14 (ii) The estimated level of energy burden and energy assistance
15 need among customers served, accounting for household income and
16 other drivers of energy burden;

17 (iii) Housing characteristics including housing type, home
18 vintage, and fuel types; and

19 (iv) Energy efficiency potential.

20 (b) Each utility must disclose information to the department for
21 use under this subsection, including:

22 (i) The amount and type of energy assistance and the number and
23 type of households, if applicable, served for programs administered
24 by the utility;

25 (ii) The amount of money passed through to third parties that
26 administer energy assistance programs; (~~and~~)

27 (iii) The amount of money used to mitigate rate impacts to low-
28 income customers and a description of any other benefits provided to
29 ratepayers from the sale of allowances as required under RCW
30 70A.65.120(4), if applicable; and

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

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

37 (~~(4)~~) (5)(a) In addition to the requirements under subsection
38 (~~(3)~~) (4) of this section, each electric utility must submit
39 biennially to the department an assessment of:

1 (i) The programs and mechanisms used by the utility to reduce
2 energy burden (~~and the effectiveness of those programs and~~
3 ~~mechanisms in both short-term and sustained energy burden~~
4 ~~reductions~~);

5 (ii) The outreach strategies used to encourage participation of
6 eligible households, including consultation with community-based
7 organizations and Indian tribes as appropriate, and comprehensive
8 enrollment campaigns that are linguistically and culturally
9 appropriate to the customers they serve in vulnerable populations;
10 and

11 (iii) A cumulative assessment of (~~previous funding levels for~~
12 ~~energy assistance compared to the funding levels needed to meet: (A)~~
13 ~~Sixty percent of the current energy assistance need, or increasing~~
14 ~~energy assistance by fifteen percent over the amount provided in~~
15 ~~2018, whichever is greater, by 2030; and (B) ninety percent of the~~
16 ~~current energy assistance need by 2050~~) program participation rates
17 and funding levels compared to what is needed to meet energy
18 assistance need.

19 (b) The assessment required in (a) of this subsection must
20 include a plan to improve the effectiveness of the assessed
21 mechanisms and strategies toward meeting the energy assistance need.

22 (~~(+5)~~) (6) A consumer-owned utility may enter into an agreement
23 with a public university, community-based organization, or joint
24 operating agency organized under chapter 43.52 RCW to aggregate the
25 disclosures required in this section and submit the assessment
26 required in subsections (~~(+3)~~) (4) and (~~(+4)~~) (5) of this section.

27 (~~(+6)~~) (7)(a) The department must submit a biennial report to
28 the legislature that:

29 (i) Aggregates information into a statewide summary of energy
30 assistance programs, energy burden, and energy assistance need;

31 (ii) Identifies and quantifies current expenditures on low-income
32 energy assistance; and

33 (iii) Evaluates the effectiveness of additional (~~optimal~~)
34 mechanisms for energy assistance including, but not limited to,
35 customer rates, a low-income specific discount, system benefits
36 charges, and public and private funds.

37 (b) The department must also assess mechanisms to prioritize
38 energy assistance towards low-income households with a higher energy
39 burden.

1 (~~(7)~~) (8) Nothing in this section may be construed to restrict
2 the rate-making authority of the commission or the governing body of
3 a consumer-owned utility as otherwise provided by law."

4 Correct the title.

EFFECT: Provides that utilities choosing to coadminister the new statewide program for low-income energy assistance (statewide program) with the Department of Commerce may also choose to be the lead coadministrator. Adds the following required members to the advisory group for the statewide program: At least one member each from a community organization, a community action council, an investor-owned utility, and a consumer-owned utility.

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