

**E2SHB 1903** - S COMM AMD

By Committee on Environment, Energy & Technology

**NOT ADOPTED 03/06/2026**

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 the state, working with the  
21 advisory group created in section 4 of this act to prioritize low-  
22 income households with energy assistance need.

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

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

27 (1) "Coadministrator" means a participating utility that has  
28 voluntarily entered into an agreement with the department to perform  
29 any or all administrative tasks associated with implementing the  
30 statewide low-income energy assistance program. The scope of the

1 administrative duties of a utility choosing to serve as  
2 coadministrator are to be established under the agreement between the  
3 utility and department under section 3(3) of this act.

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

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

9 (4) "Energy assistance need" means the amount of assistance  
10 necessary to achieve an energy burden equal to six percent for  
11 utility customers.

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

13 (6) "Low-income" has the same meaning as in RCW 19.405.020.

14 (7) "Participating utility" means a utility that has  
15 affirmatively elected to participate in the statewide low-income  
16 energy assistance program established in section 3 of this act and  
17 whom the department has accepted to participate subject to available  
18 funds.

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

21 (1) The statewide low-income energy assistance program is  
22 established within the department. The purpose of the program is to  
23 reduce energy burden for low-income households in Washington. The  
24 statewide low-income energy assistance program is supplemental to  
25 low-income energy assistance provided by utilities under RCW  
26 19.405.120 and 80.28.068. Participating utilities may not supplant  
27 funding from this program to meet the requirements of RCW 19.405.120  
28 and 80.28.068. The department must begin providing energy assistance  
29 no later than 14 months after funding is appropriated. The  
30 department, in consultation with the utilities and transportation  
31 commission, must write rules to implement this section. Nothing in  
32 this section alters existing regulatory jurisdiction over consumer-  
33 owned utilities.

34 (2) In accordance with subsection (4) of this section, the  
35 department must establish details for low-income customers to enroll  
36 in the statewide low-income energy assistance program via rule  
37 making. This rule making must consider:

38 (a) Low-income households' eligibility;

1 (b) Application processes for in-person, online, and over-the-  
2 phone enrollment;

3 (c) Partnership with utilities from which low-income households  
4 receive service and the utility has voluntarily chosen to serve as  
5 coadministrator of the program;

6 (d) Partnership with community action councils and other  
7 community providers of low-income social services;

8 (e) Allowance for self-attestation;

9 (f) That the department may verify that applicants and  
10 participants meet the income qualifications, and may work with  
11 utilities and community action councils to conduct this verification;

12 (g) That there is no risk to eligibility based on immigration  
13 status; and

14 (h) Auto enrollment of known eligible households.

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

21 (4) Subject to appropriation, the department, in consultation  
22 with the advisory group created in section 4 of this act, must phase  
23 in the statewide low-income energy assistance program across  
24 participating utilities, prioritizing low-income households in energy  
25 assistance need.

26 (5)(a) The department must, in consultation with the utilities  
27 and transportation commission as it applies to investor-owned  
28 utilities, administer the statewide low-income energy assistance  
29 program by providing funds to participating utilities. The  
30 participating utilities must pass these funds on to their low-income  
31 residential customers and show the energy assistance on the  
32 customers' monthly bills.

33 (b) Following standard contractual procedures, a participating  
34 utility may seek reimbursement from the department equal to the  
35 energy assistance provided.

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

39 (d) The department and each participating utility's obligation to  
40 provide energy assistance under the statewide low-income energy

1 assistance program is based on available funding appropriated for  
2 this specific purpose. Participating utilities may not be required to  
3 provide assistance to low-income customers under the statewide low-  
4 income energy assistance program beyond funding appropriated for this  
5 purpose. This program may not be funded through a utility surcharge  
6 or collection of any funding from utilities. It is the intent of the  
7 legislature that sustained funding shall be provided to meet low-  
8 income household needs from climate commitment act auction revenues  
9 or other dollars.

10 (6) A participating utility may not reduce the level of low-  
11 income energy assistance, discounts, or affordability benefits it  
12 provides as a result of participation in the statewide low-income  
13 energy assistance program.

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

16 The department, in consultation with the utilities and  
17 transportation commission, must establish an advisory group for the  
18 statewide low-income energy assistance program, which must include,  
19 but is not limited to, members from low-income households, and at  
20 least one member each from a community organization, community action  
21 council, investor-owned utility, municipal utility, public utility  
22 district, electric cooperative, and natural gas utility. The advisory  
23 group must be composed of a diverse group of stakeholders and must be  
24 established by the department before program implementation to help  
25 inform program development and design. The advisory group must advise  
26 the department throughout program implementation and on the program  
27 evaluation required in section 3 of this act.

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

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

35 (2) (a) An electric utility must make programs and funding  
36 available for energy assistance to low-income households by July 31,  
37 2021.

1 (b) An electric utility may not reduce the level of low-income  
2 energy assistance, discounts, or affordability benefits it provides  
3 as a result of participation in the statewide low-income energy  
4 assistance program.

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

9 ~~((3))~~ (4) Beginning July 31, 2020, the department must collect  
10 and aggregate data estimating the energy burden and energy assistance  
11 need and reported energy assistance for each electric utility, in  
12 order to improve agency and utility efforts to serve low-income  
13 households with energy assistance. The department must update the  
14 aggregated data on a biennial basis, make it publicly accessible on  
15 its internet website and, to the extent practicable, include  
16 geographic attributes.

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

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

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

25 (iii) Housing characteristics including housing type, home  
26 vintage, and fuel types; and

27 (iv) Energy efficiency potential.

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

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

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

35 (iii) The amount of money used to mitigate rate impacts to low-  
36 income customers and a description of any other benefits provided to  
37 ratepayers from the sale of allowances as required under RCW  
38 70A.65.120(4), if applicable; and

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

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

7        ~~((4))~~ (5)(a) In addition to the requirements under subsection  
8 ~~((3))~~ (4) of this section, each electric utility must submit  
9 biennially to the department ~~((an assessment))~~ a description of:

10        (i) The programs and mechanisms used by the utility to reduce  
11 energy burden ~~((and the effectiveness of those programs and  
12 mechanisms in both short-term and sustained energy burden  
13 reductions))~~;

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

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

28        ~~((The assessment))~~ For electric utilities with more than  
29 25,000 retail customers, the description required in (a) of this  
30 subsection must include a plan to improve the effectiveness of the  
31 ~~((assessed))~~ mechanisms and strategies toward meeting the energy  
32 assistance need.

33        ~~((5))~~ (6) A consumer-owned utility may enter into an agreement  
34 with a public university, community-based organization, or joint  
35 operating agency organized under chapter 43.52 RCW to aggregate the  
36 disclosures required in this section and submit the assessment  
37 required in ~~((subsections 3))~~ subsection (4) of this section and  
38 ~~((4))~~ the description in subsection (5) of this section.

39        ~~((6))~~ (7)(a) The department must submit a biennial report to  
40 the legislature that:

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

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15 On page 1, line 2 of the title, after "program;" strike the  
16 remainder of the title and insert "amending RCW 19.405.120; adding  
17 new sections to chapter 43.330 RCW; and creating a new section."

EFFECT: • Adds that the statewide low-income energy assistance program (statewide program) is supplemental to low-income energy assistance under the Clean Energy Transformation Act (CETA) provided by electric utilities and low-income discount rates or grants required for investor-owned utilities (IOUs).

• Requires the Department of Commerce (Commerce) to begin providing energy assistance no later than 14 months after funding is appropriated, rather than by October 1, 2027.

• Clarifies that nothing in the statewide program alters existing regulatory jurisdiction over consumer-owned utilities.

• Adds that Commerce must establish enrollment details for the statewide program via rule making and provides specificity for what Commerce must consider in rule making.

• Adds that in consultation with the advisory group, Commerce must phase in the statewide program across participating utilities, prioritizing low-income households in energy assistance need, rather than prioritizing areas of the state with a disproportionate share of low-income households and where bill assistance programs are lacking.

• Adds that Commerce must consult with the Utilities and Transportation Commission (UTC) for IOUs when providing funds to participating utilities.

• Directs that all utilities must seek reimbursement for Commerce equal to the energy assistance provided, rather than allowing smaller utilities to receive funds in advance.

- Prohibits participating utilities from being required to provide assistance under the statewide program beyond appropriated funds or funding the program through a utility surcharge or collection of utility funds.
- Removes requirements that Commerce must:
  - o Ensure that benefit levels provided through the statewide program are not less than what the customer received from their utility program in the previous year; and
  - o Submit a report to the Governor and Legislature with a program evaluation.
- Adds that, in consultation with the UTC, Commerce must establish an advisory group for the statewide program, and adds specific members to the group.
- Prohibits an electric utility from reducing the level of low-income energy assistance, discounts, or affordability benefits it provides under CETA as a result of the statewide program.
- Limits the requirement to submit a description, rather than assessment, of programs and mechanisms used by the utility to reduce energy burden, to electric utilities with more than 25,000 retail customers.
- Adds definitions for coadministrator, energy assistance need, and participating utility.
- Removes references to lead coadministrators and home heating fuel types.
- Modifies intent language.
- Makes technical changes.

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