

E2SHB 1903 - S AMD
By Senator

ADOPTED AND ENGROSSED 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 (3) This section expires June 30, 2035.

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

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

28 (1) "Coadministrator" means a participating utility that has
29 voluntarily entered into an agreement with the department to perform
30 any or all administrative tasks associated with implementing the
31 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, affordability benefits, or discounts for low-income
8 households, that lowers a 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 (8) This section expires June 30, 2035.

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

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

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

39 (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 it provides as a result of participation in
12 the statewide low-income energy assistance program.

13 (7) This section expires June 30, 2035.

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

16 (1) 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.

27 (2) This section expires June 30, 2035.

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)) ensure that each low-income household has access to an energy
38 assistance program.

1 (b) (i) An electric utility must ensure that the cumulative annual
2 level of low-income energy assistance that it provides to its
3 customers is not reduced as a result of participation in the
4 statewide low-income energy assistance program established under
5 section 3 of this act.

6 (ii) The cumulative assistance may not include a responsibility
7 for nonutility sources of funds.

8 (c) For the purposes of this subsection, "energy assistance" has
9 the same meaning as defined in section 2 of this act.

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

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

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

24 (i) The estimated number and demographic characteristics of
25 households served by energy assistance for each utility and the
26 dollar value of the assistance;

27 (ii) The estimated level of energy burden and energy assistance
28 need among customers served, accounting for household income and
29 other drivers of energy burden;

30 (iii) Housing characteristics including housing type, home
31 vintage, and fuel types; and

32 (iv) Energy efficiency potential.

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

35 (i) The amount and type of energy assistance and the number and
36 type of households, if applicable, served for programs administered
37 by the utility;

38 (ii) The amount of money passed through to third parties that
39 administer energy assistance programs; ((and))

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

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

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

11 ~~((4))~~ (5)(a) In addition to the requirements under subsection
12 ~~((3))~~ (4) of this section, each electric utility must submit
13 biennially to the department ~~((an assessment))~~ a description of:

14 (i) The programs and mechanisms used by the utility to reduce
15 energy burden ~~((and the effectiveness of those programs and~~
16 ~~mechanisms in both short-term and sustained energy burden~~
17 ~~reductions))~~;

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

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

32 ~~((The assessment))~~ For electric utilities with more than
33 25,000 retail customers, the description required in (a) of this
34 subsection must include a plan to improve the effectiveness of the
35 ~~((assessed))~~ mechanisms and strategies toward meeting the energy
36 assistance need.

37 ~~((5))~~ (6) A consumer-owned utility may enter into an agreement
38 with a public university, community-based organization, or joint
39 operating agency organized under chapter 43.52 RCW to aggregate the
40 disclosures required in this section and submit the assessment

1 required in (~~subsections (3)~~) subsection (4) of this section and
2 (~~(4)~~) the description in subsection (5) of this section.

3 (~~(6)~~) (7)(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)~~) (8) 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.

19 NEW SECTION. **Sec. 6.** This act is not severable, and if any
20 provision of this act is held invalid, this entire act is null and
21 void.

22 NEW SECTION. **Sec. 7.** Section 5 of this act expires June 30,
23 2035."

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24 On page 1, line 2 of the title, after "program;" strike the
25 remainder of the title and insert "amending RCW 19.405.120; adding
26 new sections to chapter 43.330 RCW; creating new sections; and adding
27 expiration dates."

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