

SENATE BILL REPORT

SB 5655

As of February 10, 2025

Title: An act relating to child care centers operated in existing buildings.

Brief Description: Concerning child care centers operated in existing buildings.

Sponsors: Senators Krishnadasan, Nobles, Slatter and Wellman.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/12/25.

Brief Summary of Bill

- Requires that when a child care center is operated in an existing building with more than one use the occupancy load must be based only on the areas in the building where the child care services are provided.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Alex Fairfortune (786-7416)

Background: Washington State Building Code. The purpose of the Washington State Building Code is to promote the health, safety and welfare of the occupants or users of buildings and structures and the general public by the provision of building codes throughout the state.

The codes set minimum requirements for safety, design, construction, quality of materials, and maintenance of building systems to protect life, health, property, and public welfare. These minimum code standards are first adopted at the state level, and then required to be adopted and enforced locally by counties and cities. Local adoption of the State Building Code can include amendments, but local amendments cannot be less strict than the State Code.

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.

Washington State building codes, as well as most other state building codes in the United States, are based on the International Code Council (ICC) model codes. The ICC operates under a consensus development process that is supported by jurisdiction and industry professionals. The code development process generally occurs every three years so that code updates reflect new approaches and materials used in the construction industry.

The ICC contains a chapter of defined terms that provide meaning to the code's requirements. The term "occupant load" is defined as the number of persons for which the means of egress of a building or portion thereof is designed. "Means of egress" is defined as a continuous and unobstructed path of vertical and horizontal egress travel from any occupied portion of a building or structure to a public way. A means of egress consists of three separate and distinct parts: the exit access, the exit, and the exit discharge.

Child Care Centers. A child care center is an agency that regularly provides early childhood education and early learning services for a group of children for periods of less than 24 hours. The secretary of the Department of Children, Youth, and Families (DCYF) has the duty to develop licensing requirements for child care centers and issue, revoke, or deny licenses pursuant to state law.

The chief of the Washington State Patrol, through the director of Fire Protection, has a duty to consult with DCYF to adopt minimum standards for child care agencies to protect building residents from fire hazards. The chief is also responsible for inspecting child care agencies as necessary and issuing certificates of compliance for those agencies seeking child care licenses. Child care license applicants must provide a certificate of compliance to DCYF before a child care license may be issued.

Summary of Bill: When a child care center is operated in an existing building that has more than one use, the building official must calculate the occupancy load based only on the areas in the building where the child care services are provided.

Statutes pertaining to the chief of the Washington State Patrol are updated to reflect this requirement.

Appropriation: None.

Fiscal Note: Requested on February 10, 2025.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.