
SECOND SUBSTITUTE HOUSE BILL 1903

State of Washington

69th Legislature

2026 Regular Session

By House Appropriations (originally sponsored by Representatives Mena, Berry, Doglio, Parshley, Simmons, Santos, Taylor, Scott, Ramel, Farivar, Hill, Pollet, and Duerr)

READ FIRST TIME 02/09/26.

1 AN ACT Relating to establishing a statewide low-income energy
2 assistance program; amending RCW 19.405.120; adding new sections to
3 chapter 43.330 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

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

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

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

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

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

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

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

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

20 (1) The statewide low-income energy assistance program is
21 established within the department. The purpose of the program is to
22 reduce energy burden for low-income households in Washington. The
23 department must begin providing energy assistance through the program
24 by October 1, 2027. The department, in consultation with the
25 utilities and transportation commission, must write rules to
26 implement this section.

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

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

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

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

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

1 (e) Low-income households may self-attest that they meet income
2 qualifications;

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

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

8 (h) The department must explore auto-enrollment of known eligible
9 households.

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

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

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

26 (b) (i) A utility with more than 25,000 customers in the state
27 that participates in the program must provide energy assistance to
28 customers and then seek reimbursement from the department equal to
29 the energy assistance provided. The department must provide
30 reimbursement within 30 days of receipt of a reimbursement request
31 from the utility.

32 (ii) A utility serving up to 25,000 customers in the state that
33 participates in the program may request that the department provide
34 funds for energy assistance in advance of the utility providing the
35 energy assistance to customers. The department may provide energy
36 assistance upfront with appropriate contractual agreements.

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

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

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

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

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

25 The department must establish an advisory group for the statewide
26 low-income energy assistance program, which must include, but is not
27 limited to, members from low-income households. The advisory group
28 must be composed of a diverse group of stakeholders and must be
29 established by the department before program implementation to help
30 inform program development. The advisory group must advise the
31 department throughout program implementation and on the program
32 evaluation required in section 3 of this act.

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

35 (1) It is the intent of the legislature to demonstrate progress
36 toward ~~((making energy assistance funds available to low-income~~
37 ~~households))~~ addressing the disproportionate impacts of home energy

1 bills on low-income households and reduce energy assistance need
2 consistent with the policies identified in this section.

3 (2) (a) An electric utility must make programs and funding
4 available for energy assistance to low-income households by July 31,
5 2021.

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

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

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

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

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

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

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

31 (iv) Energy efficiency potential.

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

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

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

39 (iii) The amount of money used to mitigate rate impacts to low-
40 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))~~ (5)(a) 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 of:

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

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

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

30 (b) The assessment required in (a) of this subsection must
31 include a plan to improve the effectiveness of the assessed
32 mechanisms and strategies toward meeting the energy 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))~~ (4) and ~~((4))~~ (5) of this section.

38 ~~((6))~~ (7)(a) The department must submit a biennial report to
39 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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