
HOUSE BILL 2141

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By Representatives Connors, Richards, Dufault, Jacobsen, Schmidt, Engell, Bronoske, Ley, Low, Barkis, Barnard, Dye, Rude, Mendoza, and Graham

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1 AN ACT Relating to building codes; amending RCW 19.27.032,
2 19.27A.015, and 19.27A.020; reenacting and amending RCW 19.27.031;
3 and repealing RCW 19.27A.160.

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

5 **Sec. 1.** RCW 19.27.031 and 2024 c 170 s 1 and 2024 c 133 s 1 are
6 each reenacted and amended to read as follows:

7 (1) Except as otherwise provided in this chapter, there shall be
8 in effect in all counties and cities the state building code which
9 shall consist of the following model codes which are hereby adopted
10 by reference:

11 (a)(i) The International Building Code, published by the
12 International Code Council, Inc.;

13 (ii) The International Residential Code, published by the
14 International Code Council, Inc.;

15 (b) The International Mechanical Code, published by the
16 International Code Council, Inc., except that the standards for
17 liquefied petroleum gas installations shall be NFPA 58 (Storage and
18 Handling of Liquefied Petroleum Gases) and ANSI Z223.1/NFPA 54
19 (National Fuel Gas Code);

20 (c) The International Fire Code, published by the International
21 Code Council, Inc., including those standards of the National Fire

1 Protection Association specifically referenced in the International
2 Fire Code: PROVIDED, That, notwithstanding any wording in this code,
3 participants in religious ceremonies shall not be precluded from
4 carrying handheld candles;

5 (d) Only those portions of the International Wildland Urban
6 Interface Code, published by the International Code Council Inc., as
7 specifically referenced in RCW 19.27.560(1), or the model
8 International Wildland Urban Interface Code specifically referenced
9 in RCW 19.27.560(2);

10 (e) The Uniform Plumbing Code and Uniform Plumbing Code
11 Standards, published by the International Association of Plumbing and
12 Mechanical Officials: PROVIDED, That any provisions of such code
13 affecting sewers or fuel gas piping are not adopted;

14 (f) The rules adopted by the council establishing standards for
15 making buildings and facilities accessible to and usable by
16 individuals with disabilities or elderly persons as provided in RCW
17 70.92.100 through 70.92.160; and

18 (g) The state's climate zones for building purposes are
19 designated in RCW 19.27A.020(~~((3))~~) (4) and may not be changed
20 through the adoption of a model code or rule.

21 (2) In case of conflict among the codes enumerated in subsection
22 (1) of this section, the first named code shall govern over those
23 following.

24 (3) (a) (~~The~~) Starting with the adoption of the 2036 edition of
25 the model codes, the model codes enumerated in this section shall be
26 adopted or amended by the council as provided in RCW 19.27.074 and
27 19.27.032 through 19.27.034 ((in a three-year state building code
28 adoption cycle. The state building code adoption cycle follows the
29 adoption cycle of the model codes. Substantive changes to the state
30 building code may only be adopted within the three-year cycle except
31 as provided in RCW 19.27.032)) no more than every six years.

32 (b) Notwithstanding any other provision of law, beginning with
33 the effective date of the 2024 adoption of the building codes as
34 described in this subsection, the council shall not initiate, adopt,
35 or implement any further editions, revisions, or updates to the
36 building codes for 10 years.

37 (c) The council shall review the (~~most~~) recent editions of each
38 of the model codes enumerated in subsection (1) of this section and
39 take action on adoption no later than 30 months after the date of
40 publication of each such code. The "date of publication" is the date

1 of publication printed in each model code. If only a month and year
2 are shown, the date of publication for such code shall be the last
3 day of the month shown.

4 (4) The council may initiate and implement an interim code
5 adoption cycle for all Washington state building codes if a majority
6 of its voting membership determines one is needed to correct errors
7 and omissions, or eliminate obsolete, conflicting, redundant, or
8 unnecessary regulations as provided in RCW 19.27.032 through
9 19.27.034.

10 (5) Petitions for emergency statewide amendments to the building
11 code may be submitted, considered, and adopted at any time in
12 accordance with RCW 34.05.350 and 19.27.032 through 19.27.034.

13 (6) Off-cycle amendments to any of the Washington state building
14 codes may be initiated and implemented at any time if directed by the
15 legislature.

16 (7) The council shall solicit input from first responders to
17 ensure that firefighter safety issues are addressed during the code
18 adoption process.

19 (8) The council may issue opinions relating to the codes at the
20 request of a local official charged with the duty to enforce the
21 enumerated codes.

22 **Sec. 2.** RCW 19.27.032 and 2024 c 170 s 6 are each amended to
23 read as follows:

24 (1) Adoption or amendment of the state building code or statewide
25 amendments to the state building code as defined in RCW 19.27.031
26 must meet the following criteria:

27 (a) ~~((Substantive))~~ Beginning with the effective date of the 2024
28 adoption of the building codes as described in RCW 19.27.031(3), the
29 council shall not initiate, adopt, or implement any further editions,
30 revisions, or updates to the building codes for 10 years. Starting
31 with the adoption of the 2036 edition of the model codes, substantive
32 updates to the state building code shall occur (~~only once during the~~
33 ~~three-year state building code adoption cycle~~) no more than every
34 six years as described in RCW 19.27.031(3). No substantive provision
35 may be adopted, amended, or repealed except during the ~~((three-year))~~
36 six-year code adoption cycle, or as provided in (c) or (d) of this
37 subsection. Until the adoption of the 2036 model codes:

38 (i) Local amendments to the building codes must not be approved
39 by the council;

1 (ii) Published corrections to errors in the codes must be
2 completed within 12 months of the effective implementation date; and
3 (iii) The council may engage in legislatively directed projects,
4 planning, study, and stakeholder engagement activities, provided that
5 no adoption or implementation of new or revised codes shall occur
6 until 10 years after the implementation date of the 2024 codes as
7 described in RCW 19.27.031(3).

8 (b) An interim code adoption cycle as outlined in RCW
9 19.27.031(4) shall not be performed earlier than 12 months nor later
10 than 18 months from the effective date of the codes adopted pursuant
11 to (a) of this subsection.

12 (c)(i) The council may adopt emergency amendments to the code at
13 any time under the following conditions:

14 (A) The amendment is necessary for the preservation of the public
15 health, safety, or general welfare; or

16 (B) The amendment is necessary for consistency with state or
17 federal laws and regulations.

18 (ii) The council may not act on a petition for emergency
19 statewide amendments at the meeting when the petition is introduced.

20 (iii) The council may accept a petition for emergency statewide
21 amendments only when the petition provides a concise statement of the
22 reasons for a finding that an emergency basis exists, and the council
23 approves a finding that such an emergency basis exists by a two-
24 thirds vote of voting members. The approval of emergency amendments
25 requires a majority vote of the voting members.

26 (d) The council may adopt or amend the state building code or
27 code sections at any time pursuant to legislative direction as
28 reflected in legislation signed into law.

29 (e) Nothing in this section shall be construed to prevent the
30 council from exercising its authority under chapter 19.27 or 19.27A
31 RCW, including the adoption or amendment of provisions of the state
32 codes when: (i) Necessary to address an imminent and present threat
33 to the health, safety, or welfare of the occupants or users of a
34 structure; (ii) required to maintain compliance with federal or state
35 laws or regulations; or (iii) mandated by a court order.

36 (2) Any person or entity may submit to the council a petition in
37 writing for statewide amendments within the time periods established
38 by the council. The petition for statewide amendment must comply with
39 format and content requirements approved by the council.

1 (3) Incomplete petitions for statewide amendments or petitions
2 that exceed the specific delegation of authority provided by the
3 legislature shall not be considered by the council for action.

4 (4) The council shall approve the referral of a statewide
5 amendment to a standing committee or technical advisory group.

6 (5) The council shall develop a process for council meetings that
7 allows members of the public to understand amendments being proposed
8 for adoption. The process shall include requirements for
9 modifications to proposed rule text to be in writing, specify the
10 reason for the amendment, and be available to the council and the
11 members of the public at least seven days prior to a vote on final
12 amendment adoption. The council shall adopt rules that encourage
13 councilmembers and technical advisory group members to make proposed
14 amendments and text changes available to other members and the public
15 at least 48 hours prior to the meeting at which they will be
16 discussed.

17 (6) The council must adopt policies and procedures for the
18 adoption or amendment of the state building code that comply with the
19 rule-making requirements in chapter 34.05 RCW and chapter 170, Laws
20 of 2024.

21 **Sec. 3.** RCW 19.27A.015 and 1990 c 2 s 2 are each amended to read
22 as follows:

23 (1) Except as provided in RCW 19.27A.020(7), the Washington state
24 energy code for residential buildings shall be the maximum and
25 minimum energy code for residential buildings in each city, town, and
26 county and shall be enforced by each city, town, and county no later
27 than July 1, 1991. The Washington state energy code for
28 nonresidential buildings shall be the minimum energy code for
29 nonresidential buildings enforced by each city, town, and county.

30 (2) Beginning on the effective date of the 2024 energy code for
31 residential buildings and nonresidential buildings, the council shall
32 not initiate, adopt, or implement any further editions, revisions, or
33 updates to the energy code for residential buildings or
34 nonresidential buildings, or both, for 10 years. Starting with the
35 adoption of the 2036 edition of the energy codes for residential
36 buildings and nonresidential buildings, substantive updates to the
37 code shall occur no more than every six years.

38 (a) Local amendments to the building codes must not be approved
39 by the council during this time.

1 (b) Published corrections to errors in the codes must be
2 completed within 12 months of the effective implementation date.

3 (3) The prohibition in this subsection applies to all codes
4 within the council's jurisdiction in chapters 19.27 and 19.27A RCW.

5 (4) The council may, during the 10-year pause, engage in
6 legislatively directed projects, planning, study, and stakeholder
7 engagement activities, provided that no adoption or implementation of
8 new or revised codes shall occur until the expiration of the pause
9 period. Until the adoption of the 2036 codes as referenced above:

10 (a) Local amendments to the building codes must not be approved
11 by the council;

12 (b) Published corrections to errors in the codes must be
13 completed within 12 months of the effective implementation date; and

14 (c) The council may engage in legislatively directed projects,
15 planning, study, and stakeholder engagement activities, provided that
16 no adoption or implementation of new or revised codes shall occur
17 until 10 years after the implementation date of the 2024 codes as
18 described in chapter 19.27A RCW.

19 (5) Nothing in this section shall be construed to prevent the
20 council from exercising its authority under chapter 19.27A RCW,
21 including the adoption or amendment of provisions of the state codes
22 when: (a) Necessary to address an imminent and present threat to the
23 health, safety, or welfare of the occupants or users of a structure;
24 (b) required to maintain compliance with federal or state laws or
25 regulations; or (c) mandated by a court order.

26 **Sec. 4.** RCW 19.27A.020 and 2025 c 1 s 6 (Initiative Measure No.
27 2066) are each amended to read as follows:

28 (1) The state building code council in the department of
29 enterprise services shall adopt rules to be known as the Washington
30 state energy code as part of the state building code.

31 (2) The council shall follow the legislature's standards set
32 forth in this section to adopt rules to be known as the Washington
33 state energy code. The Washington state energy code shall be designed
34 to:

35 (a) Construct increasingly energy efficient homes and buildings
36 (~~by the year 2031~~);

37 (b) Require new buildings to meet a certain level of energy
38 efficiency, but allow flexibility in building design, construction,
39 and heating equipment efficiencies within that framework; and

1 (c) Allow space heating equipment efficiency to offset or
2 substitute for building envelope thermal performance.

3 (3) The Washington state energy code may not in any way prohibit,
4 penalize, or discourage the use of gas for any form of heating, or
5 for uses related to any appliance or equipment, in any building.

6 (4) The Washington state energy code shall take into account
7 regional climatic conditions. One climate zone includes: Adams,
8 Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield,
9 Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille,
10 Skamania, Spokane, Stevens, Walla Walla, Whitman, and Yakima
11 counties. The other climate zone includes all other counties not
12 listed in this subsection (4). The assignment of a county to a
13 climate zone may not be changed by adoption of a model code or rule.
14 Nothing in this section prohibits the council from adopting the same
15 rules or standards for each climate zone.

16 (5) The Washington state energy code for residential buildings
17 shall be the 2006 edition of the Washington state energy code, or as
18 amended by rule by the council.

19 (6) The minimum state energy code for new nonresidential
20 buildings shall be the Washington state energy code, 2006 edition, or
21 as amended by the council by rule.

22 (7)(a) Except as provided in (b) of this subsection, the
23 Washington state energy code for residential structures shall preempt
24 the residential energy code of each city, town, and county in the
25 state of Washington.

26 (b) The state energy code for residential structures does not
27 preempt a city, town, or county's energy code for residential
28 structures which exceeds the requirements of the state energy code
29 and which was adopted by the city, town, or county prior to March 1,
30 1990. Such cities, towns, or counties may not subsequently amend
31 their energy code for residential structures to exceed the
32 requirements adopted prior to March 1, 1990.

33 (8) The state building code council shall consult with the
34 department of enterprise services as provided in RCW 34.05.310 prior
35 to publication of proposed rules. The director of the department of
36 enterprise services shall recommend to the state building code
37 council any changes necessary to conform the proposed rules to the
38 requirements of this section.

1 (9) The state building code council shall evaluate and consider
2 adoption of the international energy conservation code in Washington
3 state in place of the existing state energy code.

4 (10) The definitions in RCW 19.27A.140 apply throughout this
5 section.

6 NEW SECTION. **Sec. 5.** RCW 19.27A.160 (Residential and
7 nonresidential construction—Energy consumption reduction—Council
8 report) and 2009 c 423 s 5 are each repealed.

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