

---

**SUBSTITUTE HOUSE BILL 2151**

---

**State of Washington**

**69th Legislature**

**2026 Regular Session**

**By** House Labor & Workplace Standards (originally sponsored by Representatives Manjarrez, Peterson, Ryu, Ramel, Doglio, Low, Zahn, Wylie, Duerr, Thomas, Gregerson, Ormsby, Graham, and Donaghy; by request of Department of Labor & Industries)

READ FIRST TIME 01/27/26.

1 AN ACT Relating to adopting national standards for factory built  
2 housing and commercial structures; amending RCW 43.22.455, 43.22.470,  
3 and 43.22.480; and reenacting and amending RCW 43.22.450.

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

5 **Sec. 1.** RCW 43.22.450 and 2019 c 352 s 4 and 2019 c 165 s 2 are  
6 each reenacted and amended to read as follows:

7 Whenever used in RCW 43.22.450 through 43.22.490:

8 (1) "Department" means the Washington state department of labor  
9 and industries;

10 (2) "Approved" means approved by the department;

11 (3) "Factory built housing" means any structure, including a  
12 factory built tiny house with or without a chassis (wheels), designed  
13 primarily for human occupancy other than a manufactured or mobile  
14 home the structure or any room of which is either entirely or  
15 substantially prefabricated or assembled at a place other than a  
16 building site;

17 (4) "Install" means the assembly of factory built housing or  
18 factory built commercial structures at a building site;

19 (5) "Building site" means any tract, parcel or subdivision of  
20 land upon which factory built housing or a factory built commercial  
21 structure is installed or is to be installed;

1 (6) "Local enforcement agency" means any agency of the governing  
2 body of any city, county, or state which enforces laws or ordinances  
3 governing the construction of buildings;

4 (7) "Commercial structure" means a structure designed or used for  
5 human habitation, or human occupancy for industrial, educational,  
6 assembly, professional or commercial purposes;

7 (8) "Qualified inspection agency" means a nongovernmental entity  
8 approved by the department to perform inspections (~~(under contract~~  
9 ~~for the department)~~).

10 **Sec. 2.** RCW 43.22.455 and 1973 1st ex.s. c 22 s 2 are each  
11 amended to read as follows:

12 No factory built housing or factory built commercial structure  
13 shall be installed on a building site in this state after the  
14 effective date of the regulations adopted pursuant to RCW 43.22.480  
15 unless it is approved and bears the insignia of approval of the  
16 department.

17 (1) Any factory built housing or factory built commercial  
18 structure bearing an insignia of approval of the department shall be  
19 deemed to comply with any laws, ordinances or regulations enacted by  
20 any city or county or any local enforcement agency which govern the  
21 manufacture and construction of factory built housing or factory  
22 built commercial structures or on-site housing.

23 (2) No factory built housing or factory built commercial  
24 structure which has been approved by the department shall be in any  
25 way modified prior to, or during installation by a manufacturer or  
26 installer unless approval of such modification is first made by the  
27 department.

28 (3) Department approval under RCW 43.22.450 through 43.22.490 is  
29 not required for a prefabricated enclosure for energy storage systems  
30 or electrical equipment associated with the generation, control,  
31 transformation, transmission, or distribution of energy installations  
32 under the ownership and exclusive control of an electric utility by  
33 established right where the enclosure entry is limited to qualified  
34 service personnel for maintenance, repair, or occasional monitoring  
35 of energy storage system units or electrical equipment and not  
36 occupied for other purposes.

37 **Sec. 3.** RCW 43.22.470 and 2019 c 165 s 1 are each amended to  
38 read as follows:

1 The department shall have the authority to delegate all or part  
2 of its duties of inspection to a local enforcement agency (~~or a~~  
3 ~~qualified inspection agency~~)).

4 The rules adopted by the department under RCW 43.22.480 may  
5 include options for inspections to be conducted by a qualified  
6 inspection agency. Qualified inspection agencies shall be objective,  
7 competent, and independent from the companies responsible for the  
8 work being inspected. The qualified inspection agency will disclose  
9 to the department any conflict of interest so that objectivity may be  
10 confirmed. Qualified inspection agencies shall have adequate  
11 equipment to perform the required inspections and shall employ  
12 experienced personnel with appropriate certifications and knowledge  
13 for the inspections being performed. Certification by the  
14 international code council will be recognized as meeting this last  
15 requirement.

16 **Sec. 4.** RCW 43.22.480 and 2008 c 181 s 204 are each amended to  
17 read as follows:

18 (1) The department shall adopt and enforce rules that protect the  
19 health, safety, and property of the people of this state by assuring  
20 that all factory built housing or factory built commercial structures  
21 are structurally sound and that the plumbing, heating, electrical,  
22 and other components thereof are reasonably safe. The rules shall be  
23 reasonably consistent with recognized and accepted principles of  
24 safety and structural soundness, and in adopting the rules the  
25 department shall consider, so far as practicable(~~(7)~~): The national  
26 consensus standards published by the International Code Council, Inc.  
27 for off-site construction planning, design, fabrication, and  
28 assembly; the national consensus standards published by the  
29 International Code Council, Inc. for inspections and regulatory  
30 compliance; the standards and specifications contained in the  
31 (~~uniform~~) international building, uniform plumbing, and  
32 international mechanical codes, including the barrier free code and  
33 the Washington energy code as adopted by the state building code  
34 council pursuant to chapter 19.27A RCW, and the national electrical  
35 code, including the state rules as adopted pursuant to chapter 19.28  
36 RCW and published by the national fire protection association; or,  
37 when applicable, the temporary worker building code adopted under RCW  
38 70.114A.081.

1           (2) The department shall set a schedule of fees which will cover  
2 the costs incurred by the department in the administration and  
3 enforcement of RCW 43.22.450 through 43.22.490.

4           (3) The director may adopt rules that provide for approval of a  
5 plan that is certified as meeting state requirements or the  
6 equivalent by a professional who is licensed or certified in a state  
7 whose licensure or certification requirements meet or exceed  
8 Washington requirements.

9           (4) During a state of emergency declared under RCW 43.06.010(12),  
10 the governor may waive or suspend the collection of fees under this  
11 section or any portion of this section or under any administrative  
12 rule, and issue any orders to facilitate the operation of state or  
13 local government or to promote and secure the safety and protection  
14 of the civilian population.

--- END ---