S-3760.2

SENATE BILL 6254

State of Washington 69th Legislature 2026 Regular Session

By Senators Braun, Boehnke, Gildon, and Wellman

Read first time 01/21/26. Referred to Committee on State Government, Tribal Affairs & Elections.

AN ACT Relating to leveraging artificial intelligence to improve Washington's regulatory climate through streamlining language in rules and regulatory guidance documents; amending RCW 34.05.010 and 43.42.030; adding a new section to chapter 43.42 RCW; adding new sections to chapter 34.05 RCW; and creating a new section.

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

NEW SECTION. **Sec. 1.** The legislature finds that affordability is an increasing concern of both residents and businesses in Washington. The legislature intends with this act to take advantage of the capabilities of agentic artificial intelligence to streamline and simplify state regulations, identifying areas with disconnects from statutory authority, redundancies, contradictions, or overly complex and unnecessary language. It is the goal of this regulatory reform to make state government more efficient and accountable to residents, ease the affordability crisis facing many in our state, and help unleash our economy in a way that benefits all citizens.

Sec. 2. RCW 34.05.010 and 2019 c 8 s 701 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Adjudicative proceeding" means a proceeding before an agency in which an opportunity for hearing before that agency is required by statute or constitutional right before or after the entry of an order by the agency. Adjudicative proceedings also include all cases of licensing and rate making in which an application for a license or rate change is denied except as limited by RCW 66.08.150, or a license is revoked, suspended, or modified, or in which the granting of an application is contested by a person having standing to contest under the law.

(2) "Agency" means any state board, commission, department, institution of higher education, or officer, authorized by law to make rules or to conduct adjudicative proceedings, except those in the legislative or judicial branches, the governor, or the attorney general except to the extent otherwise required by law and any local governmental entity that may request the appointment of an administrative law judge under chapter 42.41 RCW.

(3) "Agency action" means licensing, the implementation or enforcement of a statute, the adoption or application of an agency rule or order, the imposition of sanctions, or the granting or withholding of benefits.

Agency action does not include an agency decision regarding (a) contracting or procurement of goods, services, public works, and the purchase, lease, or acquisition by any other means, including eminent domain, of real estate, as well as all activities necessarily related to those functions, or (b) determinations as to the sufficiency of a showing of interest filed in support of a representation petition, or mediation or conciliation of labor disputes or arbitration of labor disputes under a collective bargaining law or similar statute, or (c) any sale, lease, contract, or other proprietary decision in the management of public lands or real property interests, or (d) the granting of a license, franchise, or permission for the use of trademarks, symbols, and similar property owned or controlled by the agency.

(4) "Agency head" means the individual or body of individuals in whom the ultimate legal authority of the agency is vested by any provision of law. If the agency head is a body of individuals, a majority of those individuals constitutes the agency head.

(5) "Artificial intelligence" means the use of machine learning and related technologies that use data to train statistical models for the purpose of enabling computer systems to perform tasks

normally associated with human intelligence or perception, such as computer vision, speech or natural language processing, and content generation.

(6) "Entry" of an order means the signing of the order by all persons who are to sign the order, as an official act indicating that the order is to be effective.

((~~(6)~~)) (7) "Filing" of a document that is required to be filed with an agency means delivery of the document to a place designated by the agency by rule for receipt of official documents, or in the absence of such designation, at the office of the agency head.

((~~(7)~~)) (8) "Institutions of higher education" are the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, the various community colleges, and the governing boards of each of the above, and the various colleges, divisions, departments, or offices authorized by the governing board of the institution involved to act for the institution, all of which are sometimes referred to in this chapter as "institutions."

((~~(8)~~)) (9) "Interpretive statement" means a written expression of the opinion of an agency, entitled an interpretive statement by the agency head or its designee, as to the meaning of a statute or other provision of law, of a court decision, or of an agency order.

((~~(9)~~)) (10)(a) "License" means a franchise, permit, certification, approval, registration, charter, or similar form of authorization required by law, but does not include (i) a license required solely for revenue purposes, or (ii) a certification of an exclusive bargaining representative, or similar status, under a collective bargaining law or similar statute, or (iii) a license, franchise, or permission for use of trademarks, symbols, and similar property owned or controlled by the agency.

(b) "Licensing" includes the agency process respecting the issuance, denial, revocation, suspension, or modification of a license.

((~~(10)~~)) (11) "Machine learning" means the process by which artificial intelligence is developed using data and algorithms to draw inferences therefrom to automatically adapt or improve its accuracy without explicit programming.

(12) "Mail" or "send," for purposes of any notice relating to rule making or policy or interpretive statements, means regular mail

or electronic distribution, as provided in RCW 34.05.260. "Electronic distribution" or "electronically" means distribution by email or fax.

((~~(11)~~)) (13)(a) "Order," without further qualification, means a written statement of particular applicability that finally determines the legal rights, duties, privileges, immunities, or other legal interests of a specific person or persons.

(b) "Order of adoption" means the official written statement by which an agency adopts, amends, or repeals a rule.

((~~(12)~~)) (14) "Party to agency proceedings," or "party" in a context so indicating, means:

(a) A person to whom the agency action is specifically directed; or

(b) A person named as a party to the agency proceeding or allowed to intervene or participate as a party in the agency proceeding.

((~~(13)~~)) (15) "Party to judicial review or civil enforcement proceedings," or "party" in a context so indicating, means:

(a) A person who files a petition for a judicial review or civil enforcement proceeding; or

(b) A person named as a party in a judicial review or civil enforcement proceeding, or allowed to participate as a party in a judicial review or civil enforcement proceeding.

((~~(14)~~)) (16) "Person" means any individual, partnership, corporation, association, governmental subdivision or unit thereof, or public or private organization or entity of any character, and includes another agency.

((~~(15)~~)) (17) "Policy statement" means a written description of the current approach of an agency, entitled a policy statement by the agency head or its designee, to implementation of a statute or other provision of law, of a court decision, or of an agency order, including where appropriate the agency's current practice, procedure, or method of action based upon that approach.

((~~(16)~~)) (18) "Rule" means any agency order, directive, or regulation of general applicability (a) the violation of which subjects a person to a penalty or administrative sanction; (b) which establishes, alters, or revokes any procedure, practice, or requirement relating to agency hearings; (c) which establishes, alters, or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law; (d) which establishes, alters, or revokes any qualifications or standards for the issuance, suspension, or revocation of licenses to pursue any

commercial activity, trade, or profession; or (e) which establishes, alters, or revokes any mandatory standards for any product or material which must be met before distribution or sale. The term includes the amendment or repeal of a prior rule, but does not include (i) statements concerning only the internal management of an agency and not affecting private rights or procedures available to the public, (ii) declaratory rulings issued pursuant to RCW 34.05.240, (iii) traffic restrictions for motor vehicles, bicyclists, and pedestrians established by the secretary of transportation or his or her designee where notice of such restrictions is given by official traffic control devices, or (iv) rules of institutions of higher education involving standards of admission, academic advancement, academic credit, graduation and the granting of degrees, employment relationships, or fiscal processes.

((~~(17)~~)) (19) "Rules review committee" or "committee" means the joint administrative rules review committee created pursuant to RCW 34.05.610 for the purpose of selectively reviewing existing and proposed rules of state agencies.

((~~(18)~~)) (20) "Rule making" means the process for formulation and adoption of a rule.

((~~(19)~~)) (21) "Service," except as otherwise provided in this chapter, means posting in the United States mail, properly addressed, postage prepaid, or personal or electronic service. Service by mail is complete upon deposit in the United States mail. Agencies may, by rule, authorize service by electronic transmission, or by commercial parcel delivery company.

Sec. 3. RCW 43.42.030 and 2009 c 97 s 3 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Artificial intelligence" means the use of machine learning and related technologies that use data to train statistical models for the purpose of enabling computer systems to perform tasks normally associated with human intelligence or perception, such as computer vision, speech or natural language processing, and content generation.

(2) "Director" means the director of the office of regulatory assistance.

((~~(2)~~)) (3) "Fully coordinated permit process" means a comprehensive coordinated permitting assistance approach supported by a written agreement between the project proponent, the office of regulatory assistance, and the agencies participating in the fully coordinated permit process.

((~~(3)~~)) (4) "General coordination services" means services that bring interested parties together to explore opportunities for cooperation and to resolve conflicts. General coordination services may be provided as a stand-alone event or as an element of broader project assistance, nonproject-related interagency coordination, or policy and planning teamwork.

((~~(4)~~)) (5) "Machine learning" means the process by which artificial intelligence is developed using data and algorithms to draw inferences therefrom to automatically adapt or improve its accuracy without explicit programming.

(6) "Office" means the office of regulatory assistance established in RCW 43.42.010.

((~~(5)~~)) (7) "Permit" means any permit, license, certificate, use authorization, or other form of governmental review or approval required in order to construct, expand, or operate a project in the state of Washington.

((~~(6)~~)) (8) "Permit agency" means any state, local, or federal agency authorized by law to issue permits.

((~~(7)~~)) (9) "Project" means any activity, the conduct of which requires a permit or permits from one or more permit agencies.

((~~(8)~~)) (10) "Project proponent" means a citizen, business, or any entity applying for or seeking a permit or permits in the state of Washington.

((~~(9)~~)) (11) "Project scoping" means the identification of relevant issues and information needs of a project proponent and the permitting agencies, and reaching a common understanding regarding the process, timing, and sequencing for obtaining applicable permits.

NEW SECTION. **Sec. 4.** A new section is added to chapter 43.42 RCW to read as follows:

(1) By December 31, 2026, the office shall produce a third-party, artificial intelligence-generated analysis of all rules and guidance documents issued by state agencies in the form of a regulatory reduction report. This report shall identify unnecessary regulatory

requirements and highlight language in rules and guidance documents that can be streamlined.

(2) Each agency shall report to the office on its intended actions no later than four weeks from the day it receives the regulatory reduction report.

(3) Each agency shall then initiate the regulatory actions supported by the regulatory report's findings and provide the office with its future review schedule as required by section 6 of this act within four weeks from the date it communicates its intended actions to the office under subsection (2) of this section.

NEW SECTION. **Sec. 5.** A new section is added to chapter 34.05 RCW to read as follows:

(1) By December 31, 2026, and every four years thereafter, each agency shall seek to leverage artificial intelligence for analysis of each rule to determine the following:

(a) The extent to which each requirement in the rule is mandated by state statute, federal statute, or regulation, or another source of binding law;

(b) The extent to which each requirement in the rule may be redundant of or in conflict with other provisions of state or federal law;

(c) The extent to which nearby states, including, but not limited to, Oregon, Idaho, California, and Alaska, impose similar requirements; and

(d) The extent to which the text of the rule might be streamlined to eliminate excess verbiage while accomplishing the same purpose and goals.

(2) Upon final legal review of the analysis, but no later than June 30, 2027, each agency shall:

(a) Eliminate any rules or requirements that conflict with binding law or that duplicate existing regulations or statutes. When possible, each agency shall use the expedited rule-making process in RCW 34.05.353 to eliminate any such duplicative or conflicting rules or requirements;

(b) Compare Washington's regulatory burdens with those in surrounding states; and

(c) Assess opportunities to reduce regulatory burden while maintaining public health and safety protections.

NEW SECTION. **Sec. 6.** A new section is added to chapter 34.05 RCW to read as follows:

(1) By December 31, 2026, each agency shall establish a schedule to review all guidance documents and seek to leverage artificial intelligence and human review at least once every four years. During this review, each agency must analyze each guidance document for:

(a) Requirements exceeding those in state or federal statute, regulations, or other binding authority;

(b) Consistency with state and federal statutes, regulations, and other binding authority; and

(c) Opportunities to streamline text while preserving the required information accomplishing the same purpose and goals.

(2) Upon final legal review of the analysis results, but no later than six months after the review conducted pursuant to subsection (1) of this section, each agency shall:

(a) Remove provisions creating new binding legal requirements not already established in existing statutes or regulations; and

(b) Ensure each guidance document accurately reflects all relevant legal provisions and minimizes word count while maintaining clarity and completeness.

--- END ---