

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2426

Chapter 98, Laws of 2026

69th Legislature
2026 Regular Session

POLLUTION CONTROL HEARINGS BOARD APPEALS—ALTERNATIVE BOARD
COMPOSITIONS

EFFECTIVE DATE: June 11, 2026

Passed by the House February 11, 2026
Yeas 96 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 6, 2026
Yeas 48 Nays 0

DENNY HECK

President of the Senate

Approved March 18, 2026 10:21 AM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2426** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 19, 2026

**Secretary of State
State of Washington**

HOUSE BILL 2426

Passed Legislature - 2026 Regular Session

State of Washington

69th Legislature

2026 Regular Session

By Representatives Bernbaum, Reed, Parshley, McEntire, and Scott

Read first time 01/13/26. Referred to Committee on Environment & Energy.

1 AN ACT Relating to improving efficiency in appeals to the
2 pollution control hearings board; amending RCW 43.21B.090; and adding
3 a new section to chapter 43.21B RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.21B
6 RCW to read as follows:

7 (1) With the consent of all parties to a permit appeal and
8 unanimous approval of the pollution control hearings board, the
9 appeal before the board may be heard by any of the following
10 alternative compositions of the board:

11 (a) An administrative appeals judge who satisfies the
12 qualifications of RCW 43.21B.005;

13 (b) A board composition that includes a member of the land use
14 board or shorelines hearings board who satisfies the qualifications
15 of experience or training in RCW 43.21B.020;

16 (c) One member of the board, or a member of the land use board or
17 shorelines hearings board, who satisfies the qualifications of
18 experience or training in RCW 43.21B.020.

19 (2) The selection of an alternative board composition must
20 prioritize the efficient use of administrative resources.

1 **Sec. 2.** RCW 43.21B.090 and 1990 c 65 s 2 are each amended to
2 read as follows:

3 The principal office of the hearings board shall be at the state
4 capitol, but it may sit or hold hearings at any other place in the
5 state. ((A)) Except as provided in section 1 of this act, a majority
6 of the hearings board shall constitute a quorum for making orders or
7 decisions, promulgating rules and regulations necessary for the
8 conduct of its powers and duties, or transacting other official
9 business, and may act though one position of the hearings board be
10 vacant. One or more members may hold hearings and take testimony to
11 be reported for action by the hearings board when authorized by rule
12 or order of the hearings board. The hearings board shall perform all
13 the powers and duties specified in this chapter or as otherwise
14 provided by law.

Passed by the House February 11, 2026.

Passed by the Senate March 6, 2026.

Approved by the Governor March 18, 2026.

Filed in Office of Secretary of State March 19, 2026.

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