

RCW 43.31.801 2023 wildfires—Disaster relief payment program.

(1) Subject to the availability of amounts appropriated for this specific purpose, the department of commerce shall establish and administer a disaster relief payment program to provide assistance to qualifying property owners and local governments that had buildings destroyed or damaged in a wildfire occurring between August 1 and October 1, 2023. The department shall develop a system for the submission and evaluation of disaster relief payment applications in consultation with the emergency management division of the state military department and tribal and local government emergency management authorities. The system developed by the department must ensure that the disaster relief payments are only used for the purposes specified in this section.

(2) Disaster relief payments may only be awarded to property owners who had buildings damaged or destroyed during a wildfire and that meet the following criteria:

(a) The area in which the building was damaged or destroyed was under a state of emergency declared by the governor or a local government due to wildfires occurring in a county located to the east of the crest of the Cascade mountains with a population of at least 500,000;

(b) The building that was damaged or destroyed was a residential home, including manufactured homes, a multifamily building, a commercial building, or a public building;

(c) The same type of building as was damaged or destroyed in the wildfire is being constructed or repaired; and

(d) The new or repaired building will comply with all current state building and state energy code requirements in effect at the time of the permit application for the construction or repair.

(3) Disaster relief payments awarded under this section may only be used for the purpose of meeting increased energy efficiency standards, providing or increasing electric vehicle charging capacity, and the installation and use of solar panels on a building that did not, prior to being damaged or destroyed, utilize solar panels.

(4) The department shall develop criteria for awarding disaster relief payments under this section that is consistent with RCW 38.52.030(9) and, as appropriate, with other disaster response and recovery programs. When awarding disaster relief payments, the department must prioritize any building that is owned or rented by a low-income to moderate-income household. Thereafter, the department must award disaster relief payments based upon the amount of energy efficiency, electric vehicle charging capacity, or solar panels installation that will occur, with disaster relief payments going first to those buildings which will yield the greatest environmental benefits.

(5) For the purposes of this section:

(a) "Increased energy efficiency standards" means energy code standards under chapter 19.27A RCW that have increased between the time the building was originally constructed and the time that it is to be repaired or rebuilt.

(b) "Local government" means a city, town, county, or special purpose district.

(c) "Low-income or moderate-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below 120 percent of the median household income adjusted for household size, for the county where the household is

located, as reported by the United States department of housing and urban development.

(d) "Public building" means a building or building wholly owned and used by a local government. [2024 c 143 s 2.]

Findings—Intent—2024 c 143: "In recent years, devastating wildfires have destroyed homes, businesses, and infrastructure. These wildfires have become more frequent and more destructive due to the effects of climate change. Since the original construction of many of the lost structures, technological advances have made possible more energy efficient buildings, greater use of electric vehicles, and more opportunities to utilize solar energy. The insurance coverage for the destroyed structures, however, may not cover reconstruction utilizing new methods and technologies. As a result, many buildings may be rebuilt in less efficient ways that require greater use of greenhouse gases. These greenhouse gases, in turn, will exacerbate the threat of wildfires.

It is the intent of the legislature to assist in disrupting this cycle. By making disaster relief payments available to local governments, businesses, and individuals to repair or replace damaged or destroyed buildings in more energy efficient and environmentally friendly ways, the legislature will encourage a more sustainable use of resources and increased climate resilience with resulting environmental benefits for all of the people of the state. It is the intent of the legislature that the assistance provided in this act be considered disaster relief payments by the internal revenue service." [2024 c 143 s 1.]

Effective date—2024 c 143: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 18, 2024]." [2024 c 143 s 3.]