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SENATE BILL 6244

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State of Washington

61st Legislature

2010 Regular Session

By Senators Fraser, Rockefeller, Marr, Ranker, Pridemore, Kohl-Welles, Shin, and Kline

Read first time 01/11/10. Referred to Committee on Environment, Water & Energy.

1 AN ACT Relating to defining a green home and an energy efficient  
2 home; adding new sections to chapter 19.27 RCW; adding a new section to  
3 chapter 64.06 RCW; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 19.27 RCW  
6 to read as follows:

7 To be labeled, sold, or represented as a green home or energy  
8 efficient home, a group R-2 single-family or duplex residential unit or  
9 group R-3 multifamily residential building, as defined in section 310  
10 of the 2009 international building code, must be constructed under  
11 standards established under section 2 of this act. A builder,  
12 construction company, real estate agent, or owner of a residential unit  
13 or multifamily residential building may not represent, sell, or offer  
14 for sale a residential unit or multifamily residential building with  
15 the representation that it is a green home or energy efficient home if  
16 the builder, construction company, real estate agent, or owner of a  
17 home knows, or has reason to know, that the residential unit or  
18 multifamily residential building has not been constructed to meet the  
19 definitions established under section 2 of this act.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 19.27 RCW  
2 to read as follows:

3        (1) By July 1, 2010, the state building code council shall adopt  
4 rules to define green home and energy efficient home for group R-2  
5 single-family and duplex residential units and multifamily residential  
6 buildings, as defined in section 310 of the 2009 international building  
7 code, in conformity with chapter 34.05 RCW.    The rules must be  
8 developed in collaboration with interested stakeholders including the  
9 department of commerce, the Washington State University energy  
10 extension office, the Washington association of realtors, and the home  
11 builders association.    The state building code council shall develop  
12 rules that provide a definition for:

13        (a) "Green home" that requires certification by a local or national  
14 program using criteria for energy efficiency, indoor air quality,  
15 environmental responsibility, and resource efficiency, or an evaluation  
16 by a multistakeholder group consisting of representatives from within  
17 the region or housing market area, and provides for varying levels of  
18 certified green homes; and

19        (b) "Energy efficient home" that requires the home to use fifteen  
20 percent less energy than a similar building constructed to the most  
21 recent edition of the Washington state energy code.

22        (2) The state building code council must:

23        (a) Publish an appendix of the requirements for an energy efficient  
24 home for each revised edition of the Washington state energy code;

25        (b) Provide energy efficient home compliance methods that are  
26 consistent with the mandatory sections of the Washington state energy  
27 code, including a method to show compliance using the prescriptive, the  
28 component performance, and the systems analysis approaches, and  
29 prescribe labels for an energy efficient home that are consistent with  
30 energy efficiency labeling required by the energy code; and

31        (c) Review the rules every three years coinciding with the reviews  
32 and updates to the Washington state energy code.    The rules must be  
33 revised to reflect changes in the energy code and meet the requirement  
34 that the energy efficient home use fifteen percent less energy than a  
35 similar building constructed to the revised edition of the energy code.

36        (3) A local building department or a third-party inspector approved  
37 by a local building department may provide plan review and inspections  
38 for energy efficient homes.    A local building department may establish

1 reasonable fees that are consistent with any additional plan review and  
2 inspections services that are above and beyond the mandatory energy  
3 code inspections.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 64.06 RCW  
5 to read as follows:

6 (1) It is unlawful for any person to sell, offer for sale, or  
7 process any residential unit within this state as a green home or  
8 energy efficient home unless the home meets the definition of a green  
9 home or energy efficient home as developed under section 2 of this act.

10 (2) The legislature finds that the practices covered by this  
11 section are matters vitally affecting the public interest for the  
12 purpose of applying the consumer protection act, chapter 19.86 RCW. A  
13 violation of this section is not reasonable in relation to the  
14 development and preservation of business and is an unfair or deceptive  
15 act in trade or commerce and an unfair method of competition for the  
16 purpose of applying the consumer protection act, chapter 19.86 RCW.  
17 Remedies available under chapter 19.86 RCW do not affect any other  
18 remedy the injured party may have.

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