

SHB 1601 - H AMD 290

By Representative Dammeier

NOT CONSIDERED 04/22/2011

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that legislation
4 authorizing modification of the state energy code directed the state
5 building code council to update the building code provisions by
6 incrementally increasing energy efficiency through code modification
7 starting in 2013. This start date was chosen because the legislature
8 was aware that there are substantial costs to consumers and employers
9 associated with implementation of the energy code's increased energy
10 efficiency standards and wanted to provide builders and local
11 authorities sufficient time to adapt to new procedures. The state
12 building code council adopted extensive modifications to the energy
13 code in November 2009. Since that time, the governor has requested a
14 delay in implementation of the revisions to the energy code because the
15 impact of the changes would slow the economic recovery of the state.

16 The legislature supports the governor's concern that the 2009
17 amendments to the energy code will slow recovery of the economy and
18 supports a delay in implementation of the amendments until at least
19 April 1, 2012.

20 **Sec. 2.** RCW 19.27A.020 and 2010 c 271 s 304 are each amended to
21 read as follows:

22 (1) Except as provided in section 3 of this act, the state building
23 code council shall adopt rules to be known as the Washington state
24 energy code as part of the state building code.

25 (2) The council shall follow the legislature's standards set forth
26 in this section to adopt rules to be known as the Washington state
27 energy code. The Washington state energy code shall be designed to:

28 (a) Construct increasingly energy efficient homes and buildings

1 that help achieve the broader goal of building zero fossil-fuel
2 greenhouse gas emission homes and buildings by the year 2031;

3 (b) Require new buildings to meet a certain level of energy
4 efficiency, but allow flexibility in building design, construction, and
5 heating equipment efficiencies within that framework; and

6 (c) Allow space heating equipment efficiency to offset or
7 substitute for building envelope thermal performance.

8 (3) The Washington state energy code shall take into account
9 regional climatic conditions. Climate zone 1 shall include all
10 counties not included in climate zone 2. Climate zone 2 includes:
11 Adams, Chelan, Douglas, Ferry, Grant, Kittitas, Lincoln, Okanogan, Pend
12 Oreille, Spokane, Stevens, and Whitman counties.

13 (4) The Washington state energy code for residential buildings
14 shall be the 2006 edition of the Washington state energy code, or as
15 amended by rule by the council.

16 (5) The minimum state energy code for new nonresidential buildings
17 shall be the Washington state energy code, 2006 edition, or as amended
18 by the council by rule.

19 (6)(a) Except as provided in (b) of this subsection, the Washington
20 state energy code for residential structures shall preempt the
21 residential energy code of each city, town, and county in the state of
22 Washington.

23 (b) The state energy code for residential structures does not
24 preempt a city, town, or county's energy code for residential
25 structures which exceeds the requirements of the state energy code and
26 which was adopted by the city, town, or county prior to March 1, 1990.
27 Such cities, towns, or counties may not subsequently amend their energy
28 code for residential structures to exceed the requirements adopted
29 prior to March 1, 1990.

30 (7) The state building code council shall consult with the
31 department of general administration as provided in RCW 34.05.310 prior
32 to publication of proposed rules. The director of the department of
33 general administration shall recommend to the state building code
34 council any changes necessary to conform the proposed rules to the
35 requirements of this section.

36 (8) The state building code council shall evaluate and consider
37 adoption of the international energy conservation code in Washington
38 state in place of the existing state energy code.

1 (9) The definitions in RCW 19.27A.140 apply throughout this
2 section.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 19.27A RCW
4 to read as follows:

5 (1) Changes to the state energy code as adopted by the state
6 building code council November 20, 2009, that modified chapter 51-11
7 WAC may not be implemented prior to April 1, 2012.

8 (2) This section expires April 1, 2014.

9 NEW SECTION. **Sec. 4.** Section 2 of this act expires April 1,
10 2014."

11 Correct the title.

EFFECT: Strikes the underlying bill. Specifies that changes to the State Energy Code adopted by the State Building Code Council on November 20, 2009, may not be implemented prior to April 1, 2012. Provisions of the bill, with the exception of the intent section, expire on April 1, 2014.

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