

HOUSE BILL REPORT

HB 1618

As Reported by House Committee On:
Appropriations Subcommittee on General Government

Title: An act relating to the building code council account.

Brief Description: Concerning the building code council account.

Sponsors: Representatives Ormsby, Morris, Takko, Hunt, Lias, Tharinger, Fitzgibbon, Fey, Moscoso and Ryu.

Brief History:

Committee Activity:

Appropriations Subcommittee on General Government: 2/14/13, 2/20/13 [DPS].

Brief Summary of Substitute Bill

- Establishes legislative authority to adjust fees as part of the omnibus appropriations act.
- Eliminates a fee increase by the Building Code Council.
- Removes operating contingency fund.

HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 5 members: Representatives Hudgins, Chair; Dunshee, Hunt, Pedersen and Springer.

Minority Report: Do not pass. Signed by 4 members: Representatives Parker, Ranking Minority Member; Buys, Chandler and Taylor.

Staff: Danielle Cruver (786-7157).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The State Building Code Council (Council) is a 15-member board, appointed by the Governor. The Council adopts and revises state building codes, approves or denies county or city amendments, and proposes a budget for the operation of the Council. There are specific requirements for membership, enumerated in statute. In addition to the 15 members, the Council includes: two members of the House of Representatives appointed by the Speaker of the House, one from each caucus; two members of the Senate appointed by the President of the Senate, one from each caucus; and an employee of the electrical division of the Department of Labor and Industries, as ex officio, nonvoting members with all other privileges and rights of membership. Council members are not paid, but are eligible for travel/per diem reimbursements.

The Building Code Council Account (Account) is appropriated and receives revenue from fees collected upon issuance of a building permit. A fee of \$4.50 is charged for every building permit issued by a county or a city. An additional surcharge of \$2 is applied to each residential unit (not including the first) on each building containing more than one residential unit.

The fee is collected at the local level, then remitted quarterly to the State Treasurer. There must be \$50 accumulated in the local accounts before fees are transferred to the state. Revenue from the Account may be used, after appropriation, to perform the purposes of the Council. Unspent funds in the Account at the end of each fiscal year remain in the Account.

Every four years the State Treasurer reports on the balances in the Account. By statute, the Legislature has authority to adjust the fees imposed by the Council.

The Department of Enterprise Services (DES) provides administrative and clerical assistance, however the hiring of this staff is the authority of Council.

Summary of Substitute Bill:

Increases to building permit fees are allowed only by legislative authority as part of the omnibus appropriations act.

Substitute Bill Compared to Original Bill:

The increase in fees for building permits is eliminated. The operating contingency fund is eliminated. The authority to amend fees is by legislative approval within the omnibus appropriations act.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Industry supports this bill. The fee increase is needed to support the increase in workload. The public is protected by these codes. The codes are complex, especially the energy code. The staff has been reduced by half since 2006. The Council is doing more with less. The bill is essential to get adequate resources for additional work.

(Opposed) The building industry and realtors are against this bill. The industry would like to see a better code revising process. Savings could be made by creating a better bill that has a six-year cycle for code revising, instead of a four-year cycle.

Persons Testifying: (In support) Representative Ormsby, prime sponsor; Noah Reandeau, Northwest Energy Efficiency Council; Stan Bowman, American Institute of Architects; Kim Drury, Northwest Energy Coalition; Clare Allshouse and John Chelminiak, Washington State Building Code Council; and Angie Homoca.

(Opposed) Jan Himebaugh, Building Industry Association of Washington; and Jeannette McKagne, Washington Realtors.

Persons Signed In To Testify But Not Testifying: None.