

SENATE BILL REPORT

SB 5185

As of January 26, 2015

Title: An act relating to a six-year time frame for substantial building code amendments.

Brief Description: Creating a six-year time frame for substantial building code amendments.

Sponsors: Senator Benton.

Brief History:

Committee Activity: Government Operations & Security (Note: Senate Resolution 8609 adopted January 27, 2015, renamed the Committee on Government Operations & State Security to Committee on Government Operations & Security): 1/22/15.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & SECURITY

Staff: Karen Epps (786-7424)

Background: The State Building Code Council (Council) was established in 1974 to provide analysis and advice to the Legislature and the Office of the Governor on State Building Code (Code) issues. The Council establishes the minimum building, mechanical, fire, plumbing, and energy code requirements in Washington by reviewing, developing, and adopting the Code.

The Code sets forth requirements through the provision of building codes to promote the health, safety, and welfare of the occupants or users of buildings and structures throughout the state. The Code consists of regulations adopted by reference from the International Building Code, the International Residential Code, the International Mechanical Code, the National Fuel Gas Code, the International Fire Code, and the Uniform Plumbing Code and Uniform Plumbing Code Standards. The Council reviews, updates, and adopts a new Code every three years.

It also includes the Washington State Energy Code (Energy Code), which is a state-written, state-specific code. The Energy Code provides a minimum level of energy efficiency, but allows flexibility in building design, construction, and heating equipment efficiencies. Substantial amendments to the Energy Code cannot be adopted more frequently than every three years.

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.

Summary of Bill: Substantial amendments to the codes may not be adopted more frequently than every six years. The Council must review the Energy Code every six years. Substantial amendments to the Energy Code may not be adopted more frequently than every six years.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill provides more regulatory certainty and will help a struggling construction industry. Changes in the Code are one of the things that make it hard to be a home builder. Because of the three-year cycle, there is no stability in design standards, in education for builders, and in training requirements. Code changes cause delay because of changes in design standards, and delay means higher costs in construction. A six-year cycle will add stability without lowering the standards that protect life and safety. Life and safety technical corrections would still be allowed under a six-year cycle. The three-year cycle does not give the Council time to assess whether the changes are working before the new cycle makes further changes. This bill will save the Council money because they will only have to go through the process half as often.

CON: Having a Code updated nationwide on a three-year cycle is very important for companies that operate nationwide. The three-year cycle makes it easier for commerce to commence in a coordinated manner. It may make sense for the Council to act in a more transparent manner and allow for more public input on Council process which might make it friendlier to the building community. Staying with a three-year cycle given the rapid change with respect to technologies for improving the energy efficiencies of buildings makes the most sense. It is important to make sure that stakeholders have a voice on the Council. The statute does not currently mandate that a new Code be adopted every three years. The bill describes substantial amendments but does not define what a substantial amendment would be. Training costs are lower if the training is done on a routine basis, such as every three years.

Persons Testifying: PRO: Tom Kwieciak, Building Industry Assn. of WA.

CON: Tony Usibelli, WA Dept. of Commerce; Charlie Brown, National Electrical Manufacturers Assn.; Kraig Stevenson, International Code Council.