
HOUSE BILL 1686

State of Washington

64th Legislature

2015 Regular Session

By Representatives Scott, Young, Taylor, Kochmar, Vick, Condotta, Pike, Shea, and G. Hunt

Read first time 01/26/15. Referred to Committee on Judiciary.

1 AN ACT Relating to establishing the Washington state incandescent
2 light bulb freedom act; adding a new chapter to Title 19 RCW; and
3 creating new sections.

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

5 NEW SECTION. **Sec. 1.** This act may be known and cited as the
6 Washington state incandescent light bulb freedom act.

7 NEW SECTION. **Sec. 2.** (1) The legislature finds that: (a) The
8 tenth amendment to the United States Constitution reserves to the
9 states and their people all powers not delegated to the federal
10 government and not prohibited to the states; (b) the ninth amendment
11 to the United States Constitution provides that certain rights
12 enumerated in the Constitution shall not be construed to deny or
13 disparage other rights retained by the people; and (c) the regulation
14 of intrastate commerce is vested in the states under the ninth and
15 tenth amendments to the United States Constitution.

16 (2) The legislature further finds that: (a) Current federal law
17 standards effectively ban the manufacture and sale of the
18 incandescent light bulbs that Americans buy most, standard one
19 hundred watt incandescent light bulbs (banned as of January 1, 2012),
20 standard seventy-five watt incandescent light bulbs (banned as of

1 January 1, 2013), standard forty watt and sixty watt incandescent
2 light bulbs (banned as of January 1, 2014), and halogen incandescent
3 light bulbs (banned as of January 1, 2020); (b) exceptions to federal
4 law standards include specialty bulbs such as refrigerator bulbs,
5 reflector bulbs, three way bulbs, candelabra bulbs, globe bulbs,
6 shatter-resistant bulbs, vibration service bulbs, rough service
7 bulbs, colored bulbs, bug light bulbs, and plant lights; (c)
8 fluorescent lamps (FL), compact fluorescent lamps (CFL), and cold
9 cathode fluorescent lamps (CCFL) contain sufficient mercury for the
10 environmental protection agency to recommend a tedious ten-to-eleven
11 step process for cleanup of broken CFLs and a requirement that
12 consumers take discarded bulbs to a special disposal center, and
13 dangerous mercury can escape into the air when such bulbs
14 accidentally break or inevitably break in trash cans or garbage
15 trucks; and (d) light emitting diode lamps (LED) contain lead and
16 nickel, exposure to which can create a serious health risk.

17 (3) The legislature further finds that the people of Washington
18 state know better than the federal government what type of light bulb
19 they prefer and should have the freedom to choose whether or not they
20 wish to purchase and use incandescent light bulbs or some alternative
21 to incandescent light bulbs, and if an item such as an incandescent
22 light bulb is manufactured in this state, without the inclusion of
23 any significant parts imported from another state or country, and the
24 item is offered for sale and sold only for use within the borders of
25 Washington state, the item is not in the stream of interstate
26 commerce and not subject to federal regulation under the commerce
27 clause of the United States Constitution.

28 NEW SECTION. **Sec. 3.** The definitions in this section apply
29 throughout this chapter unless the context clearly requires
30 otherwise.

31 (1) "Borders of Washington" means the boundaries of Washington
32 state as provided for in Article XXIV, section 1 of the Washington
33 state Constitution.

34 (2) "Generic and insignificant parts" includes, but is not
35 limited to, steel, glass, springs, screws, nuts, pins, and ceramics.

36 (3) "Incandescent light bulb" means a light bulb containing a
37 filament or filaments that produce light when the filament or
38 filaments are heated due to electrical resistance.

1 NEW SECTION. **Sec. 4.** (1) An incandescent light bulb that is:
2 (a) Manufactured commercially or privately in Washington state from
3 basic materials that can be manufactured without the inclusion of any
4 significant parts imported from another state; and (b) offered for
5 sale and sold for use only within the borders of Washington state is
6 deemed to be in the stream of intrastate commerce, rather than
7 interstate commerce, and is not subject to federal law or federal
8 regulation.

9 (2) The incorporation of generic and insignificant parts imported
10 from another state in an incandescent light bulb that is manufactured
11 and sold in Washington state pursuant to this chapter which have
12 other manufacturing or consumer product applications does not bring
13 the incandescent light bulb into interstate commerce and does not
14 subject it to federal law or federal regulation.

15 (3) Basic materials, such as unmachined and unshaped steel and
16 glass, imported from another state that are to be altered for
17 incorporation into an incandescent light bulb manufactured and sold
18 pursuant to this chapter are deemed to be an insignificant part of
19 the incandescent light bulb both prior to their alteration and after
20 their incorporation into the incandescent light bulb. If these basic
21 materials are otherwise manufactured, offered for sale, and sold
22 pursuant to this chapter, they are not in interstate commerce and are
23 not subject to federal law or federal regulation.

24 (4) An incandescent light bulb manufactured, offered for sale, or
25 sold in Washington state pursuant to this chapter must have the
26 words, "Made in Washington state for use in Washington state" clearly
27 stamped, engraved, or otherwise clearly indicated on a central part
28 of the bulb.

29 NEW SECTION. **Sec. 5.** This act applies to incandescent light
30 bulbs that are manufactured pursuant to this chapter on or after the
31 effective date of this section.

32 NEW SECTION. **Sec. 6.** Sections 3 through 4 of this act
33 constitute a new chapter in Title 19 RCW.

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