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HOUSE BILL 1827

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State of Washington                      64th Legislature                      2015 Regular Session

By Representatives Halper, Manweller, and Harmsworth

Read first time 01/29/15. Referred to Committee on Capital Budget.

1            AN ACT Relating to providing an exemption for nonprofit entities  
2 from LEED standards for major facility projects funded by the state  
3 capital budget; and amending RCW 39.35D.030.

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

5            **Sec. 1.** RCW 39.35D.030 and 2011 c 99 s 1 are each amended to  
6 read as follows:

7            (1) All major facility projects of public agencies receiving any  
8 funding in a state capital budget, or projects financed through a  
9 financing contract as defined in RCW 39.94.020, must be designed,  
10 constructed, and certified to at least the LEED silver standard. This  
11 subsection applies to major facility projects that have not entered  
12 the design phase prior to July 24, 2005, and to the extent  
13 appropriate LEED silver standards exist for that type of building or  
14 facility.

15            (2) All major facility projects of any entity other than a public  
16 agency or public school district receiving any funding in a state  
17 capital budget must be designed, constructed, and certified to at  
18 least the LEED silver standard. This subsection applies to major  
19 facility projects that have not entered the grant application process  
20 prior to July 24, 2005, and to the extent appropriate LEED silver  
21 standards exist for that type of building or facility.

1 (3)(a) Public agencies, under this section, shall monitor and  
2 document ongoing operating savings resulting from major facility  
3 projects designed, constructed, and certified as required under this  
4 section.

5 (b) Public agencies, under this section, shall report annually to  
6 the department on major facility projects and operating savings.

7 (4) The department shall consolidate the reports required in  
8 subsection (3) of this section into one report and report to the  
9 governor and legislature by September 1st of each even-numbered year  
10 beginning in 2006 and ending in 2016. In its report, the department  
11 shall also report on the implementation of this chapter, including  
12 reasons why the LEED standard was not used as required by RCW  
13 39.35D.020(5)(b). The department shall make recommendations regarding  
14 the ongoing implementation of this chapter, including a discussion of  
15 incentives and disincentives related to implementing this chapter.

16 (5) For the purposes of determining compliance with the  
17 requirement for a project to be designed, constructed, and certified  
18 to at least the LEED silver standard, the department must credit one  
19 additional point for a project that uses wood products with a  
20 credible third-party sustainable forest certification or from forests  
21 regulated under chapter 76.09 RCW, the Washington forest practices  
22 act. For projects that qualify for this additional point, and for  
23 which an additional point would have resulted in formal certification  
24 under the LEED silver standard, the project must be deemed to meet  
25 the standard under this section.

26 (6) Entities that have filed under chapter 24.03 RCW as nonprofit  
27 are exempt from this chapter.

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