

**E2SHB 1899** - S COMM AMD  
By Committee on Ways & Means

**ADOPTED 03/01/2024**

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

3 "NEW SECTION. **Sec. 1.** In recent years, devastating wildfires  
4 have destroyed homes, businesses, and infrastructure. These wildfires  
5 have become more frequent and more destructive due to the effects of  
6 climate change. Since the original construction of many of the lost  
7 structures, technological advances have made possible more energy  
8 efficient buildings, greater use of electric vehicles, and more  
9 opportunities to utilize solar energy. The insurance coverage for the  
10 destroyed structures, however, may not cover reconstruction utilizing  
11 new methods and technologies. As a result, many buildings may be  
12 rebuilt in less efficient ways that require greater use of greenhouse  
13 gases. These greenhouse gases, in turn, will exacerbate the threat of  
14 wildfires.

15 It is the intent of the legislature to assist in disrupting this  
16 cycle. By making disaster relief payments available to local  
17 governments, businesses, and individuals to repair or replace damaged  
18 or destroyed buildings in more energy efficient and environmentally  
19 friendly ways, the legislature will encourage a more sustainable use  
20 of resources and increased climate resilience with resulting  
21 environmental benefits for all of the people of the state. It is the  
22 intent of the legislature that the assistance provided in this act be  
23 considered disaster relief payments by the internal revenue service.

24 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.31  
25 RCW to read as follows:

26 (1) Subject to the availability of amounts appropriated for this  
27 specific purpose, the department of commerce shall establish and  
28 administer a disaster relief payment program to provide assistance to  
29 qualifying property owners and local governments that had buildings  
30 destroyed or damaged in a wildfire occurring between August 1 and  
31 October 1, 2023. The department shall develop a system for the

1 submission and evaluation of disaster relief payment applications in  
2 consultation with the emergency management division of the state  
3 military department and tribal and local government emergency  
4 management authorities. The system developed by the department must  
5 ensure that the disaster relief payments are only used for the  
6 purposes specified in this section.

7 (2) Disaster relief payments may only be awarded to property  
8 owners who had buildings damaged or destroyed during a wildfire and  
9 that meet the following criteria:

10 (a) The area in which the building was damaged or destroyed was  
11 under a state of emergency declared by the governor or a local  
12 government due to wildfires occurring in a county located to the east  
13 of the crest of the Cascade mountains with a population of at least  
14 500,000;

15 (b) The building that was damaged or destroyed was a residential  
16 home, including manufactured homes, a multifamily building, a  
17 commercial building, or a public building;

18 (c) The same type of building as was damaged or destroyed in the  
19 wildfire is being constructed or repaired; and

20 (d) The new or repaired building will comply with all current  
21 state building and state energy code requirements in effect at the  
22 time of the permit application for the construction or repair.

23 (3) Disaster relief payments awarded under this section may only  
24 be used for the purpose of meeting increased energy efficiency  
25 standards, providing or increasing electric vehicle charging  
26 capacity, and the installation and use of solar panels on a building  
27 that did not, prior to being damaged or destroyed, utilize solar  
28 panels.

29 (4) The department shall develop criteria for awarding disaster  
30 relief payments under this section that is consistent with RCW  
31 38.52.030(9) and, as appropriate, with other disaster response and  
32 recovery programs. When awarding disaster relief payments, the  
33 department must prioritize any building that is owned or rented by a  
34 low-income to moderate-income household. Thereafter, the department  
35 must award disaster relief payments based upon the amount of energy  
36 efficiency, electric vehicle charging capacity, or solar panels  
37 installation that will occur, with disaster relief payments going  
38 first to those buildings which will yield the greatest environmental  
39 benefits.

40 (5) For the purposes of this section:

1 (a) "Increased energy efficiency standards" means energy code  
2 standards under chapter 19.27A RCW that have increased between the  
3 time the building was originally constructed and the time that it is  
4 to be repaired or rebuilt.

5 (b) "Local government" means a city, town, county, or special  
6 purpose district.

7 (c) "Low-income or moderate-income household" means a single  
8 person, family, or unrelated persons living together whose adjusted  
9 income is at or below 120 percent of the median household income  
10 adjusted for household size, for the county where the household is  
11 located, as reported by the United States department of housing and  
12 urban development.

13 (d) "Public building" means a building or building wholly owned  
14 and used by a local government.

15 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
16 preservation of the public peace, health, or safety, or support of  
17 the state government and its existing public institutions, and takes  
18 effect immediately.

19 NEW SECTION. **Sec. 4.** If specific funding for the purposes of  
20 this act, referencing this act by bill or chapter number, is not  
21 provided by June 30, 2024, in the omnibus appropriations act, this  
22 act is null and void."

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23 On page 1, line 2 of the title, after "wildfires;" strike the  
24 remainder of the title and insert "adding a new section to chapter  
25 43.31 RCW; creating new sections; and declaring an emergency."

EFFECT: Limits the disaster relief payments to buildings damaged  
or destroyed in a wildfire occurring between the dates of August 1  
and October 1, 2023, and in a county located to the east of the crest  
of the Cascade mountains with a population of at least 500,000.  
Removes provisions establishing an exemption for the reconstruction  
or repair of buildings damaged or destroyed by wildfire from the  
state building and state energy codes, to the extent that the codes  
would require additional energy efficiencies or offsets on, restrict,

or prohibit the construction or use of a propane tank as a secondary heating source for the rebuilt residential building.

--- **END** ---