

# SENATE BILL REPORT

## E2SHB 1899

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As Reported by Senate Committee On:  
State Government & Elections, February 20, 2024  
Ways & Means, February 26, 2024

**Title:** An act relating to facilitating reconstruction of communities damaged or destroyed by wildfires.

**Brief Description:** Facilitating reconstruction of communities damaged or destroyed by wildfires.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Volz, Schmidt, Chapman, Graham, Rule, Leavitt, Waters, Low, Christian, Couture, McClintock, Barnard, Jacobsen, Timmons, Schmick, Dent, Cheney, Sandlin and Griffey).

**Brief History:** Passed House: 2/13/24, 96-1.

**Committee Activity:** State Government & Elections: 2/20/24 [w/oRec-WM].  
Ways & Means: 2/24/24, 2/26/24 [DPA, w/oRec].

### Brief Summary of Amended Bill

- Requires the Department of Commerce to establish and administer a disaster relief payment for financial assistance to qualifying property owners and local governments that had buildings damaged or destroyed by wildfires.
- Requires property owners to meet certain criteria to be eligible for disaster relief payments.

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass as amended.

Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member,

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Operating; Rivers, Assistant Ranking Member, Capital; Billig, Boehnke, Braun, Conway, Dhingra, Hunt, Keiser, Muzzall, Pedersen, Randall, Saldaña, Torres, Van De Wege, Wagoner and Wellman.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Schoesler, Ranking Member, Capital; Hasegawa.

**Staff:** Jed Herman (786-7346)

**Background:** The State Building Code (SBC) provides a set of statewide standards and requirements related to building construction. The SBC is comprised of various international model codes, including building, residential, fire, and plumbing codes (model codes) adopted by reference by the Legislature. The model codes are promulgated by the International Code Council.

The State Energy Code (Energy Code) is part of the SBC, which sets the minimum construction requirements for buildings in the state. The Energy Code establishes minimum energy efficiency requirements for residential and nonresidential buildings.

On August 19, 2023, the Governor declared a state of emergency for all of Washington due to the high risk of wildfires throughout the state.

**Summary of Amended Bill:** The Department of Commerce (Commerce) must establish and administer a disaster relief payment program to provide assistance to qualifying property owners and local governments that had buildings damaged or destroyed by wildfires. Commerce must develop a system for evaluating applications in consultation with the emergency management division of the Military Department and tribal and local government emergency authorities.

In order to be eligible for disaster relief payments, a property owner who had a building damaged or destroyed during a wildfire occurring between the dates of August 1, 2023 and October 1, 2023 and in a county located east of the crest of the Cascade mountains with a population of at least 500,000, must meet all of the following criteria:

- the area in which the building was damaged or destroyed must have been under a state of emergency declared by the Governor or a local government due to wildfires;
- the building must have been a residential building, multifamily building, commercial building, or a public building;
- the same type of building that was damaged or destroyed is being repaired or reconstructed; and
- the new or repaired building will comply with all current state building and state energy code requirements in effect at the time of the permit application for the construction or repair.

Disaster relief payments awarded by Commerce may only be used for the purpose of

meeting increased energy efficiency standards, providing or increasing electric vehicle charging capacity, and the installation and use of solar panels on a building that did not, prior to being damaged or destroyed, use solar panels.

**EFFECT OF WAYS & MEANS COMMITTEE AMENDMENT(S):**

- Limits the disaster relief payments to buildings damaged or destroyed in a wildfire occurring between the dates of August 1st 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.

**Appropriation:** The bill contains a null and void clause requiring specific funding be provided in an omnibus appropriation act.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Staff Summary of Public Testimony on Engrossed Second Substitute House Bill:** *The committee recommended a different version of the bill than what was heard.* PRO: This bill is important for our community as hundreds of people were impacted by a loss of their homes and businesses. We did receive word that FEMA assistance is becoming available.

OTHER: We have concerns about sections three and four of the bill. This bill creates a helpful layer of assistance in addition to insurance and other funds to aid in recovery from the wildfires.

**Persons Testifying:** PRO: Josh Kerns, Spokane County.

OTHER: Dave Pringle, Dept. of Commerce.

**Persons Signed In To Testify But Not Testifying:** No one.