
HOUSE BILL 1336

State of Washington

69th Legislature

2025 Regular Session

By Representatives Walsh and Marshall

Read first time 01/16/25. Referred to Committee on Environment & Energy.

1 AN ACT Relating to protecting utility consumer meter choice;
2 adding a new chapter to Title 19 RCW; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires
6 otherwise.

7 (1) "Analog utility meter" means an electro-mechanical utility
8 meter that measures a utility consumer's electric, water, or gas use
9 and does not contain or use electronic components or switch mode
10 power supply and does not extract, store, or transmit private utility
11 use data or radiofrequency radiation.

12 (2) "Consumer-owned electric utility" means a municipal electric
13 utility formed under Title 35 RCW, a public utility district formed
14 under Title 54 RCW, an irrigation district formed under chapter 87.03
15 RCW, a cooperative formed under chapter 23.86 RCW, or a mutual
16 corporation or association formed under chapter 24.06 RCW, that is
17 engaged in the business of distributing electricity to more than one
18 retail electric customer in the state.

19 (3) "Digital utility meter" means a radiofrequency-transmitting
20 or nontransmitting utility meter that uses electronic components
21 including, but not limited to, switch mode power supply and antennas

1 and batteries, to measure, extract, store, or transmit electric,
2 water, or gas use.

3 (4) "Electric utility" means a consumer-owned electric utility or
4 investor-owned electric utility as defined in this section.

5 (5) "Gas utility" has the same definition as "gas company" in RCW
6 80.04.010.

7 (6) "Investor-owned electric utility" means a company owned by
8 investors that meets the definition of "electrical company" as
9 defined in RCW 80.04.010 and is engaged in distributing electricity
10 to one or more retail electric customers in the state.

11 (7) "Utility consumer" means an end-user of utility services from
12 any electric utility, gas utility, or water utility with a meter
13 assigned to the consumer at the consumer's premises.

14 (8) "Water utility" means every corporation, company,
15 association, joint stock association, partnership, and person, their
16 lessees, trustees or receivers appointed by any court whatsoever, and
17 every city or town owning, controlling, operating, or managing any
18 water system for hire within this state.

19 NEW SECTION. **Sec. 2.** (1) A utility consumer may decline
20 permission to an electric utility, gas utility, or water utility to:

21 (a) Replace an existing analog utility meter with a digital
22 utility meter; or

23 (b) Install a digital utility meter.

24 (2) An electric utility, gas utility, or water utility must
25 replace a digital utility meter with an analog utility meter if
26 requested by a utility consumer, at no cost to the utility consumer.
27 For the purposes of this section, no cost includes no penalty, no
28 fee, no service charge, nor any other cost.

29 (3) An electric utility, gas utility, or water utility may not
30 install a digital utility meter for a utility consumer unless the
31 utility provides written notice to the consumer no less than 90 days
32 before the scheduled installation so that the consumer may decline
33 installation if desired according to subsection (1) of this section.
34 The written notice must clearly include the following information:

35 (a) The utility consumer has the right to decline permission to
36 the utility to install a digital utility meter and declining
37 permission shall be at no cost to the utility consumer;

38 (b) The utility consumer may, at any time after installation of a
39 digital utility meter, require the utility to remove the meter and

1 replace it with an analog utility meter at no cost to the utility
2 customer; and

3 (c) If the utility consumer informs the utility in writing that
4 the consumer suffers from an electromagnetic sensitivity and the
5 transmitted and unintended radiofrequency radiation from both
6 transmitting and nontransmitting digital meters poses a health threat
7 to the consumer, the utility must comply with the consumer's
8 instruction within 10 days of receipt of instruction. In all other
9 cases, the utility must comply with the utility consumer's
10 instruction within 30 days of receipt of instruction.

11 (4) For any building or property with multiple utility consumers
12 of electricity, water, or gas, each electric utility, water utility,
13 or gas utility must comply with subsection (3) of this section by:

14 (a) Gathering responses from utility consumers in such a building
15 or property to determine the percentage of utility consumers who
16 decline permission for installation of digital utility meters. If at
17 least 50 percent of utility consumers decline permission for
18 installation of digital utility meters, the utility may not install
19 new digital utility meters or upgrade existing digital utility meters
20 in such a building; and

21 (b) Removing a digital utility meter when requested by a utility
22 consumer and replacing it with an analog utility meter.

23 NEW SECTION. **Sec. 3.** For no less than three years, each
24 electric utility, gas utility, and water utility must maintain
25 records of:

26 (1) All requests from utility consumers to remove or replace a
27 digital utility meter with an analog utility meter; and

28 (2) All responses the utility receives from utility consumers
29 when the utility requests to install a digital utility meter.

30 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
31 preservation of the public peace, health, or safety, or support of
32 the state government and its existing public institutions, and takes
33 effect immediately.

34 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act
35 constitute a new chapter in Title 19 RCW.

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