
SUBSTITUTE HOUSE BILL 1903

State of Washington

69th Legislature

2025 Regular Session

By House Environment & Energy (originally sponsored by Representatives Mena, Berry, Doglio, Parshley, Simmons, Santos, Taylor, Scott, Ramel, Farivar, Hill, Pollet, and Duerr)

READ FIRST TIME 02/21/25.

1 AN ACT Relating to establishing a statewide low-income energy
2 assistance program; amending RCW 19.405.120 and 70A.65.260; adding
3 new sections to chapter 43.330 RCW; adding a new section to chapter
4 80.28 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that there is an
7 urgent need for stronger policy and a new program option to secure
8 universally accessible low-income energy bill assistance and reduce
9 the over \$270,000,000 biennial energy burden in Washington. Many
10 income-eligible households do not have sufficient support. The
11 department of commerce November 2024 study of options for a statewide
12 energy assistance program in Washington lays out core features of a
13 just system to expand and secure access to energy affordability
14 measures. To address present and widening disparities in household
15 access to energy assistance will require easier applications, safe
16 data sharing, low barrier eligibility determinations, systematic
17 processes for filling in gaps in the reach of existing programs, and
18 guaranteed funding sources. The recommended program design promotes a
19 more centralized approach to energy assistance. Key elements include
20 those that reduce administrative burdens, but also improve the

1 experience and likelihood that an eligible household receives
2 assistance.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.330
4 RCW to read as follows:

5 The definitions in this section apply throughout sections 3 and 4
6 of this act unless the context clearly requires otherwise.

7 (1) "Low-income" has the same meaning as in RCW 19.405.020.

8 (2) "Community action council" has the same meaning as "community
9 action agency" in RCW 43.185C.010.

10 (3) "Energy assistance" means monetary assistance, such as a
11 grant program or discounts for low-income households, that lowers a
12 low-income household's energy burden.

13 (4) "Energy burden" has the same meaning as in RCW 19.405.020.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.330
15 RCW to read as follows:

16 (1) The statewide low-income energy assistance program is
17 established within the department. The purpose of the program is to
18 reduce energy burden for low-income households in Washington. The
19 department must begin providing energy assistance through the program
20 by July 1, 2026. The department must write rules to implement this
21 section.

22 (2) The department must establish enrollment details which must
23 include, but are not limited to:

24 (a) All low-income households are eligible to participate in the
25 program;

26 (b) Low-income households may apply directly to the program;

27 (c) Low-income households may apply to the utility from which
28 they receive service if the utility has voluntarily chosen to serve
29 as coadministrator of the program;

30 (d) Low-income households may self-attest that they meet income
31 qualifications;

32 (e) The department may verify that applicants and participants
33 meet the income qualifications, and may work with utilities and
34 community action councils to conduct this verification;

35 (f) There is no risk to eligibility based on immigration status
36 or income self-attestation; and

37 (g) The department must explore auto-enrollment of known eligible
38 households.

1 (3) The department must provide outreach for the program by:

2 (a) Developing a website and materials for the program that
3 provide information in multiple languages. Outreach materials must be
4 produced and approved by first language speakers;

5 (b) Partnering with community-based organizations and community
6 action councils to provide outreach to households less likely to sign
7 up directly or seek government services;

8 (c) Coordinating with programs in the state that provide benefits
9 to low-income households so that low-income households are notified
10 and directed to the statewide low-income energy assistance program
11 when signing up or participating in other programs. These programs
12 may include, but are not limited to, the food stamp or benefit
13 program as authorized in RCW 74.04.500 and the working families tax
14 credit as described in RCW 82.08.0206;

15 (d) Providing a call center;

16 (e) Ensuring that call center staff and program administrators
17 are trained on trauma-informed communication practices; and

18 (f) Codesigning outreach campaigns with community partners, low-
19 income service providers, and statewide community-based
20 organizations.

21 (4) The department may enter into agreements with utilities to
22 serve as coadministrators of the statewide low-income energy
23 assistance program for the purposes of enhancing customer engagement,
24 facilitating enrollment of eligible customers, and sharing
25 administrative duties with the department. Serving as a
26 coadministrator is voluntary for utilities.

27 (5) (a) In accordance with section 5 of this act, the department
28 must administer the program by providing funds for energy assistance
29 to gas and electric companies, and to all other electric utilities.
30 The utilities must pass these funds on to their low-income
31 residential customers and show the energy assistance on the
32 customers' monthly bills.

33 (b) (i) A utility with more than 25,000 customers in the state
34 must provide energy assistance to customers and then seek
35 reimbursement from the department equal to the energy assistance
36 provided. The department must provide reimbursement within 30 days of
37 receipt of a reimbursement request from the utility.

38 (ii) A utility serving up to 25,000 customers in the state may
39 request that the department provide funds for energy assistance in
40 advance of the utility providing the energy assistance to customers.

1 The department may provide energy assistance upfront with appropriate
2 contractual agreements.

3 (c) The dollar amount that the department must provide to low-
4 income households must be tiered to provide the most energy
5 assistance to the households with the greatest need.

6 (d) The department's obligation to provide energy assistance is
7 based on available funding appropriated for this specific purpose. It
8 is the intent of the legislature that sustained funding shall be
9 provided to meet low-income household needs from climate commitment
10 act auction revenues.

11 (e) The department must ensure that benefit levels provided
12 through the statewide low-income energy assistance program are not
13 less than what a customer enrolled in their utility program received
14 from their utility program in the previous year.

15 (6) The department must submit a report to the governor and
16 legislature that includes a program evaluation of the statewide low-
17 income energy assistance program by July 1st in every even-numbered
18 year. The advisory group established in section 4 of this act must
19 advise the department on the program evaluation, which must include
20 meaningful metrics around equitable access and overall program
21 delivery.

22 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.330
23 RCW to read as follows:

24 The department must establish an advisory group for the statewide
25 low-income energy assistance program, which must include, but is not
26 limited to, members from low-income households. The advisory group
27 must be composed of a diverse group of stakeholders and must be
28 established by the department before program implementation to help
29 inform program development. The advisory group must advise the
30 department throughout program implementation and on the program
31 evaluation required in section 3 of this act.

32 NEW SECTION. **Sec. 5.** A new section is added to chapter 80.28
33 RCW to read as follows:

34 (1) Gas companies and electric companies must either participate
35 in the statewide low-income energy assistance program established in
36 section 3 of this act or opt-out in accordance with subsection (2) of
37 this section.

1 (2) A gas company or electric company may opt-out of the
2 statewide low-income energy assistance program if the utility
3 provides monthly energy bill assistance to at least 50 percent of
4 low-income households served by the utility and maintains this
5 participation percent. For an electric company, such programs must
6 follow the requirements outlined in RCW 19.405.120. The gas company
7 or electric company must certify in a report to the department of
8 commerce each year that the utility is meeting the required low-
9 income household participation percent in the program or programs.
10 The first report to the department of commerce must be by July 1,
11 2026. If a gas company or electric company does not meet the
12 requirements of this subsection by July 1, 2028, the gas company or
13 electric company must then immediately contact the department of
14 commerce to establish participation in the statewide low-income
15 energy assistance program.

16 **Sec. 6.** RCW 19.405.120 and 2019 c 288 s 12 are each amended to
17 read as follows:

18 (1) It is the intent of the legislature to demonstrate progress
19 toward making energy assistance funds available to low-income
20 households consistent with the policies identified in this section.

21 (2) (a) An electric utility must make programs and funding
22 available for energy assistance to low-income households by July 31,
23 2021.

24 (b) By July 1, 2028, an electric utility must either: (i)
25 Participate in the statewide low-income energy assistance program
26 established in section 3 of this act; or (ii) have at least one low-
27 income program that provides monthly energy bill assistance to at
28 least 50 percent of all low-income households, as defined in RCW
29 19.405.020, served by the utility, maintain this participation
30 percent, and comply with the requirements described in this section.

31 (c) For an electric utility choosing to opt-out of the statewide
32 low-income energy assistance program, the electric utility must
33 certify in a report to the department of commerce each year that the
34 utility is meeting the required low-income household participation
35 percent in the program or programs as described in (b) of this
36 subsection. The first report to the department of commerce must be by
37 July 1, 2026. If an electric utility does not meet the requirements
38 of this subsection by July 1, 2028, the electric utility must then

1 immediately contact the department of commerce to establish
2 participation in the statewide low-income energy assistance program.

3 (d) An electric utility's participation in the statewide low-
4 income energy assistance program satisfies compliance with this
5 section.

6 (3) Each utility must demonstrate progress in providing energy
7 assistance pursuant to the assessment and plans in subsection ~~((4))~~
8 (5) of this section. To the extent practicable, priority must be
9 given to low-income households with a higher energy burden.

10 ~~((3))~~ (4) Beginning July 31, 2020, the department must collect
11 and aggregate data estimating the energy burden and energy assistance
12 need and reported energy assistance for each electric utility, in
13 order to improve agency and utility efforts to serve low-income
14 households with energy assistance. The department must update the
15 aggregated data on a biennial basis, make it publicly accessible on
16 its internet website and, to the extent practicable, include
17 geographic attributes.

18 (a) The aggregated data published by the department must include,
19 but is not limited to:

20 (i) The estimated number and demographic characteristics of
21 households served by energy assistance for each utility and the
22 dollar value of the assistance;

23 (ii) The estimated level of energy burden and energy assistance
24 need among customers served, accounting for household income and
25 other drivers of energy burden;

26 (iii) Housing characteristics including housing type, home
27 vintage, and fuel types; and

28 (iv) Energy efficiency potential.

29 (b) Each utility must disclose information to the department for
30 use under this subsection, including:

31 (i) The amount and type of energy assistance and the number and
32 type of households, if applicable, served for programs administered
33 by the utility;

34 (ii) The amount of money passed through to third parties that
35 administer energy assistance programs; and

36 (iii) Subject to availability, any other information related to
37 the utility's low-income assistance programs that is requested by the
38 department.

1 (c) The information required by (b) of this subsection must be
2 from the electric utility's most recent completed budget period and
3 in a form, timeline, and manner as prescribed by the department.

4 ~~((4))~~ (5)(a) In addition to the requirements under subsection
5 ~~((3))~~ (4) of this section, each electric utility must submit
6 biennially to the department an assessment of:

7 (i) The programs and mechanisms used by the utility to reduce
8 energy burden and the effectiveness of those programs and mechanisms
9 in both short-term and sustained energy burden reductions;

10 (ii) The outreach strategies used to encourage participation of
11 eligible households, including consultation with community-based
12 organizations and Indian tribes as appropriate, and comprehensive
13 enrollment campaigns that are linguistically and culturally
14 appropriate to the customers they serve in vulnerable populations;
15 and

16 (iii) A cumulative assessment of previous funding levels for
17 energy assistance compared to the funding levels needed to meet: (A)
18 Sixty percent of the current energy assistance need, or increasing
19 energy assistance by fifteen percent over the amount provided in
20 2018, whichever is greater, by 2030; and (B) ninety percent of the
21 current energy assistance need by 2050.

22 (b) The assessment required in (a) of this subsection must
23 include a plan to improve the effectiveness of the assessed
24 mechanisms and strategies toward meeting the energy assistance need.

25 ~~((5))~~ (6) A consumer-owned utility may enter into an agreement
26 with a public university, community-based organization, or joint
27 operating agency organized under chapter 43.52 RCW to aggregate the
28 disclosures required in this section and submit the assessment
29 required in subsections ~~((3))~~ (4) and ~~((4))~~ (5) of this section.

30 ~~((6))~~ (7)(a) The department must submit a biennial report to
31 the legislature that:

32 (i) Aggregates information into a statewide summary of energy
33 assistance programs, energy burden, and energy assistance need;

34 (ii) Identifies and quantifies current expenditures on low-income
35 energy assistance; and

36 (iii) Evaluates the effectiveness of additional optimal
37 mechanisms for energy assistance including, but not limited to,
38 customer rates, a low-income specific discount, system benefits
39 charges, and public and private funds.

1 (b) The department must also assess mechanisms to prioritize
2 energy assistance towards low-income households with a higher energy
3 burden.

4 ~~((7))~~ (8) Nothing in this section may be construed to restrict
5 the rate-making authority of the commission or the governing body of
6 a consumer-owned utility as otherwise provided by law.

7 **Sec. 7.** RCW 70A.65.260 and 2023 c 475 s 939 are each amended to
8 read as follows:

9 (1) The climate commitment account is created in the state
10 treasury. The account must receive moneys distributed to the account
11 from the climate investment account created in RCW 70A.65.250. Moneys
12 in the account may be spent only after appropriation. Projects,
13 activities, and programs eligible for funding from the account must
14 be physically located in Washington state and include, but are not
15 limited to, the following:

16 (a) Implementing the working families' tax credit in RCW
17 82.08.0206;

18 (b) Supplementing the growth management planning and
19 environmental review fund established in RCW 36.70A.490 for the
20 purpose of making grants or loans to local governments for the
21 purposes set forth in RCW 43.21C.240, 43.21C.031, 36.70A.500, and
22 36.70A.600, for costs associated with RCW 36.70A.610, and to cover
23 costs associated with the adoption of optional elements of
24 comprehensive plans consistent with RCW 43.21C.420;

25 (c) Programs, activities, or projects that reduce and mitigate
26 impacts from greenhouse gases and copollutants in overburdened
27 communities, including strengthening the air quality monitoring
28 network to measure, track, and better understand air pollution levels
29 and trends and to inform the analysis, monitoring, and pollution
30 reduction measures required in RCW 70A.65.020;

31 (d) Programs, activities, or projects that deploy renewable
32 energy resources, such as solar and wind power, and projects to
33 deploy distributed generation, energy storage, demand-side
34 technologies and strategies, and other grid modernization projects;

35 (e) Programs, activities, or projects that increase the energy
36 efficiency or reduce greenhouse gas emissions of industrial
37 facilities including, but not limited to, proposals to implement
38 combined heat and power, district energy, or on-site renewables, such
39 as solar and wind power, to upgrade the energy efficiency of existing

1 equipment, to reduce process emissions, and to switch to less
2 emissions intensive fuel sources;

3 (f) Programs, activities, or projects that achieve energy
4 efficiency or emissions reductions in the agricultural sector
5 including:

6 (i) Fertilizer management;

7 (ii) Soil management;

8 (iii) Bioenergy;

9 (iv) Biofuels;

10 (v) Grants, rebates, and other financial incentives for
11 agricultural harvesting equipment, heavy duty trucks, agricultural
12 pump engines, tractors, and other equipment used in agricultural
13 operations;

14 (vi) Grants, loans, or any financial incentives to food
15 processors to implement projects that reduce greenhouse gas
16 emissions;

17 (vii) Renewable energy projects;

18 (viii) Farmworker housing weatherization programs;

19 (ix) Dairy digester research and development;

20 (x) Alternative manure management; and

21 (xi) Eligible fund uses under RCW 89.08.615;

22 (g) Programs, activities, or projects that increase energy
23 efficiency in new and existing buildings, or that promote low carbon
24 architecture, including use of newly emerging alternative building
25 materials that result in a lower carbon footprint in the built
26 environment over the life cycle of the building and component
27 building materials;

28 (h) Programs, activities, or projects that promote the
29 electrification and decarbonization of new and existing buildings,
30 including residential, commercial, and industrial buildings;

31 (i) Programs, activities, or projects that improve energy
32 efficiency, including district energy, and investments in market
33 transformation of high efficiency electric appliances and equipment
34 for space and water heating;

35 (j) Clean energy transition and assistance programs, activities,
36 or projects that assist affected workers or people with lower incomes
37 during the transition to a clean energy economy, or grow and expand
38 clean manufacturing capacity in communities across Washington state
39 including, but not limited to:

1 (i) Programs, activities, or projects that directly improve
2 energy affordability and reduce the energy burden of people with
3 lower incomes, as well as the higher transportation fuel burden of
4 rural residents, such as bill assistance, energy efficiency, and
5 weatherization programs;

6 (ii) Community renewable energy projects that allow qualifying
7 participants to own or receive the benefits of those projects at
8 reduced or no cost;

9 (iii) Programs, activities, or other worker-support projects for
10 bargaining unit and nonsupervisory fossil fuel workers who are
11 affected by the transition away from fossil fuels to a clean energy
12 economy. Worker support may include, but is not limited to: (A) Full
13 wage replacement, health benefits, and pension contributions for
14 every worker within five years of retirement; (B) full wage
15 replacement, health benefits, and pension contributions for every
16 worker with at least one year of service for each year of service up
17 to five years of service; (C) wage insurance for up to five years for
18 workers reemployed who have more than five years of service; (D) up
19 to two years of retraining costs, including tuition and related
20 costs, based on in-state community and technical college costs; (E)
21 peer counseling services during transition; (F) employment placement
22 services, prioritizing employment in the clean energy sector; and (G)
23 relocation expenses;

24 (iv) Direct investment in workforce development, via technical
25 education, community college, institutions of higher education,
26 apprenticeships, and other programs including, but not limited to:

27 (A) Initiatives to develop a forest health workforce established
28 under RCW 76.04.521; and

29 (B) Initiatives to develop new education programs, emerging
30 fields, or jobs pertaining to the clean energy economy;

31 (v) Transportation, municipal service delivery, and technology
32 investments that increase a community's capacity for clean
33 manufacturing, with an emphasis on communities in greatest need of
34 job creation and economic development and potential for commute
35 reduction;

36 (k) Programs, activities, or projects that reduce emissions from
37 landfills and waste-to-energy facilities through diversion of organic
38 materials, methane capture or conversion strategies, installation of
39 gas collection devices and gas control systems, monitoring and
40 reporting of methane emissions, or other means, prioritizing funding

1 needed for any activities by local governments to comply with chapter
2 70A.540 RCW;

3 (1) Carbon dioxide removal projects, programs, and activities;
4 (~~and~~)

5 (m) Activities to support efforts to mitigate and adapt to the
6 effects of climate change affecting Indian tribes, including capital
7 investments in support of the relocation of Indian tribes located in
8 areas at heightened risk due to anticipated sea level rise, flooding,
9 or other disturbances caused by climate change. The legislature
10 intends to dedicate at least \$50,000,000 per biennium from the
11 account for purposes of this subsection; and

12 (n) Implementing the statewide low-income energy assistance
13 program as described in section 3 of this act.

14 (2) Moneys in the account may not be used for projects or
15 activities that would violate tribal treaty rights or result in
16 significant long-term damage to critical habitat or ecological
17 functions. Investments from this account must result in long-term
18 environmental benefits and increased resilience to the impacts of
19 climate change.

20 (3) During the 2023-2025 fiscal biennium, the legislature may
21 appropriate moneys from the climate commitment account for activities
22 related to environmental justice, including implementation of chapter
23 314, Laws of 2021.

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