
SENATE BILL 5747

State of Washington

69th Legislature

2025 Regular Session

By Senators J. Wilson and Christian

Read first time 02/13/25. Referred to Committee on Housing.

1 AN ACT Relating to an exemption for affordable housing; amending
2 RCW 19.27A.080; reenacting and amending RCW 19.27.015; adding a new
3 section to chapter 19.27 RCW; adding a new section to chapter 19.27A
4 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 a
7 housing crisis in Washington state. The primary reason for that
8 crisis is a lack of affordable housing units. One reason that housing
9 units are not being built to meet demand is because of onerous
10 building codes. In order to encourage development of affordable
11 housing, the legislature finds that cities and counties may enforce
12 any of the last four iterations of the state building and energy
13 code.

14 **Sec. 2.** RCW 19.27.015 and 2024 c 170 s 9 and 2024 c 19 s 2 are
15 each reenacted and amended to read as follows:

16 As used in this chapter:

17 (1) "Affordable housing" means residential housing that is rented
18 by a person or household whose monthly housing costs, including
19 utilities other than telephone, do not exceed 30 percent of the
20 household's monthly income. For the purposes of housing intended for

1 owner occupancy, "affordable housing" means residential housing that
2 is within the means of low or moderate-income households.

3 (2) "Agricultural structure" means a structure designed and
4 constructed to house farm implements, hay, grain, poultry, livestock,
5 or other horticultural products. This structure may not be a place of
6 human habitation or a place of employment where agricultural products
7 are processed, treated, or packaged, nor may it be a place used by
8 the public.

9 ~~((2))~~ (3) "Approval," "approved," or "adopted," unless
10 otherwise defined or otherwise indicated by context, means an
11 affirmative vote by a majority of voting members of the council,
12 committee, or advisory group present at the time of the vote.

13 ~~((3))~~ (4) "City" means a city or town.

14 ~~((4))~~ (5) "Commercial building permit" means a building permit
15 issued by a city or a county to construct, enlarge, alter, repair,
16 move, demolish, or change the occupancy of any building not covered
17 by a residential building permit.

18 ~~((5))~~ (6) "Emergency statewide amendment" means any proposed
19 statewide amendment meeting the criteria in RCW 34.05.350. A rule
20 shall be considered an emergency rule if the council, for good cause,
21 finds that immediate adoption or amendment of a rule is necessary for
22 the preservation of the public health, safety, or general welfare,
23 and that observing the time requirements of notice and opportunity to
24 comment upon adoption of a permanent rule would be contrary to public
25 interest.

26 ~~((6))~~ (7) "Low and moderate-income households" means households
27 earning 80 percent or less of the median income for a locality.

28 (8) "Model codes" means the codes developed by the model code
29 organizations and adopted by reference in RCW 19.27.031.

30 ~~((7))~~ (9) "Model code organizations" means the national code-
31 adopting organizations that develop the model codes, as defined in
32 this section, such as the international code council, international
33 association of plumbing and mechanical officials, and national fire
34 protection association.

35 ~~((8))~~ (10) "Multifamily residential building" means common wall
36 residential buildings that consist of four or fewer units, that do
37 not exceed two stories in height, that are less than 5,000 square
38 feet in area, and that have a one-hour fire-resistive occupancy
39 separation between units.

1 (~~(9)~~) (11) "Off-cycle amendments" means amendments to the state
2 building code outside of the three-year state building code adoption
3 cycle.

4 (~~(10)~~) (12) "Residential building permit" means a building
5 permit issued by a city or a county to construct, enlarge, alter,
6 repair, move, demolish, or change the occupancy of any building
7 containing only dwelling units used for independent living of one or
8 more persons including permanent provisions for living, sleeping,
9 eating, cooking, and sanitation, and structures accessory to dwelling
10 units, such as detached garages and storage buildings.

11 (~~(11)~~) (13) "State building code" means the codes adopted and
12 amended by the council as follows:

- 13 (a) The codes referenced in this chapter;
14 (b) The state energy code referenced in chapter 19.27A RCW; and
15 (c) Any other codes so designated by the Washington state
16 legislature as adopted and amended by the council.

17 (~~(12)~~) (14) "State building code adoption cycle" means that
18 period during which the state building code is adopted, updated, and
19 amended by the council.

20 (~~(13)~~) (15) "Statewide amendment" means any amendment to the
21 state building code initiated through council action or by petition
22 to the council from any agency, city, county, or interested
23 individual or organization, that would have the effect of amending
24 the state building code for the entire state of Washington. A
25 statewide amendment may have a regional effect.

26 (~~(14)~~) (16) "Temporary growing structure" means a structure
27 that has the roof covered with polyethylene, polyvinyl, or similar
28 flexible synthetic material and is used to provide plants with either
29 frost protection or increased heat retention.

30 **Sec. 3.** RCW 19.27A.080 and 1995 c 343 s 2 are each amended to
31 read as follows:

32 Unless the context clearly requires otherwise, the definitions in
33 this section apply throughout RCW 19.27A.080 through 19.27A.120.

34 (1) "Portable oil-fueled heater" means any nonflue-connected,
35 self-contained, self-supporting, oil-fueled, heating appliance
36 equipped with an integral reservoir, designed to be carried from one
37 location to another.

1 (2) "Oil" means any liquid fuel with a flash point of greater
2 than one hundred degrees Fahrenheit, including but not limited to
3 kerosene.

4 (3) "Listed" means any portable oil-fueled heater which has been
5 evaluated in accordance with the Underwriters Laboratories, Inc.
6 standard for portable oil-fueled heaters or an equivalent standard
7 and with respect to reasonably foreseeable hazards to life and
8 property by a nationally recognized testing or inspection agency,
9 such as Underwriters Laboratories, Inc., and which has been
10 authorized as being reasonably safe for its specific purpose and
11 shown in a list published by such agency and/or bears the mark, name,
12 and/or symbol of such agency as indication that it has been so
13 authorized. Such evaluation shall include but not be limited to
14 evaluation of the requirements hereinafter set forth.

15 (4) "Approved" means any listed portable oil-fueled heater which
16 is deemed approved if it satisfies the requirements set forth herein
17 or adopted under RCW 19.27A.080 through 19.27A.120 and if the
18 supplier certifies to the authority having jurisdiction over the sale
19 and use of the heater that it is listed and in compliance with RCW
20 19.27A.080 through 19.27A.120.

21 (5) "Structure" means any building or completed construction of
22 any kind included in state building code groups M, R-1, R-3, B, F,
23 S-1, S-2, and U occupancies, except sleeping rooms and bathrooms:
24 PROVIDED, HOWEVER, That in B, M, and S-1 occupancies, approved
25 portable oil-fueled heaters shall only be used under permit of the
26 fire chief.

27 (6) "Supplier" means any party offering to sell to retailers or
28 to the general public approved portable oil-fueled heaters.

29 (7) "Affordable housing" means residential housing that is rented
30 by a person or household whose monthly housing costs, including
31 utilities other than telephone, do not exceed 30 percent of the
32 household's monthly income. For the purposes of housing intended for
33 owner occupancy, "affordable housing" means residential housing that
34 is within the means of low or moderate-income households.

35 (8) "Low and moderate-income households" means households earning
36 80 percent or less of the median income for a locality.

37 NEW SECTION. Sec. 4. A new section is added to chapter 19.27
38 RCW to read as follows:

1 Affordable housing projects which meet the qualifying criteria
2 established in RCW 84.14.020(1)(a)(ii)(B) may be constructed,
3 altered, or repaired according to any of the previous four building
4 code standards or the current international building code council
5 model codes.

6 NEW SECTION. **Sec. 5.** A new section is added to chapter 19.27A
7 RCW to read as follows:

8 Affordable housing projects which meet the qualifying criteria
9 established in RCW 84.14.020(1)(a)(ii)(B) may be constructed,
10 altered, or repaired according to any of the previous four energy
11 code standards or the current international energy conservation
12 codes.

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