



STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

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STATE BUILDING CODE COUNCIL LEGISLATIVE COMMITTEE MEETING SUMMARY MINUTES

LOCATION: In response to the Governor's Emergency Proclamation, there was no physical location.

MEETING DATE: Friday, January 29, 2021

Members in Attendance: Todd Beyreuther, Committee Chair; Doug Orth, Committee Vice Chair; Andrew Klein; Phil Lemley

Members Absent: Kjell Anderson, Diane Glenn

Other Council Members Present: Tony Doan

Staff In Attendance: Stoyan Bumbalov, Krista Braaksma, Ray Shipman

Visitors Present: Ken Brouillette, Sue Coffman, Carolyn Logue, Barbara McMullen, Allison Skidd, Brian Smith, Helen Walter-Terrinoni

Agenda Items	Council Actions/Discussion
1. Welcome and Introductions	Meeting called to order at 11:00 a.m. by Vice Chair Doug Orth, as Todd Beyreuther was attending remotely from an outdoor location. Everyone was welcomed and introductions were made.
2. Review & Approve Agenda	The agenda was approved as written.
3. Review & Approve Minutes	The minutes of the January 22, 2021, meeting were approved as written.
3. Legislative Update	Please refer to the attached Bill Tracking Log. Stoyan Bumbalov provided a synopsis of the bills introduced or changed in status since the last meeting. A substitute bill was introduced for 1050 that requires the Council to solicit input from affected parties prior to adopting rules addressing substitute refrigerants and refrigeration systems or air conditioning systems. SB 5243 would require that building departments consider complete and approve plans and specifications stamped by either an architect or engineer, and only review them for zoning and land use issues. Doug Orth agreed this would have a major impact on building departments. Todd Beyreuther asked how this would impact performance based design. Barbara McMullen wondered if this would affect the Department of Health's review of hospital and health care buildings. The last bill discussed is SB 5360, which amends the language from HB 2701 last session. Tony Doan hoped that this bill could help provide some clarity and fixes for the language of HB 2701.

4. Other Business	<p>Ken Brouillette asked if there was a way for the Committee to help push the effective date back on HB 2701 from last session. He was informed his concerns would be noted on the Committee's report to the Council. Ray Shipman stated the Council would be reviewing a proposal to address that bill at the February 19 meeting, and public comment would be taken.</p> <p>Helen Walter-Terrinoni spoke to concerns on the amendment to HB 1050. She has concerns about the Building Code Council reviewing refrigerants, which the EPA already does She noted there is training available through the Fire Services Research Institute regarding refrigerants.</p>
5. Adjourn	The meeting was adjourned at 11:37 a.m.

Attachments: Bill Tracking Log

**2021 Legislative Session Bill Tracking Log
State Building Code Council
Bills of Interest – January 29, 2021**

Bill Number	Title	Sponsor	Description	Position	Committee / Action	Impact on SBCC	Impact on Stakeholders
January 15, 2021							
HB 1050	Fluorinated gases	Fitzgibbon	Requires the Council to consider HFCs when adopting codes. Establishes a threshold for HFCs in refrigeration and directs Ecology to establish a management program. The bill will require various changes in the Mechanical Code. This can be done during the standard three year code cycle review, modification and implementation process.	Neutral – Monitor	H Env & Energy;	No; changes to mechanical code can be done during the standard three year code cycle process.	Minor
HB 1084 Companion SB 5093	Building decarbonization AKA Healthy homes and clean buildings act	Ramel	Changes the statute to require a 70% reduction in net energy consumption by 2027 and eliminate on-site fossil fuel combustion for space and water heating. Energy reduction has been codified as a 70% reduction from 2006 by 2031. The Council has been working toward an incremental approach each three year code cycle. Going from 2031 to 2027 eliminates one cycle, compressing the financial impact for the remaining cycles.	Neutral – Monitor	H Env & Energy	No; changes in the Energy Code can be done during the standard three year code cycle process.	Major
SB 5093 Companion HB 1084	Building decarbonization	Lias	Changes the statute to require a 70% reduction in net energy consumption by 2027 and eliminate on-site fossil fuel combustion for space and water heating.	Neutral – Monitor	S Env, Energy & Tech	No	Major
HB 1103	Building materials	Duerr (Prime), Shewmake	Requires that building materials used for government funded projects be rated (by the contractor) for environmental and societal costs. There is no direction/requirement for the SBCC	Neutral – Monitor	H Cap Budget	No	Major (Not related to SBCC)
HB 1150	Building code council membership	Hoff (Prime), Chapman	Adds the four legislative members as voting members while keeping the L&I rep as ex officio.	Neutral - Monitor	H Local Govt	Major	No

Bill Number	Title	Sponsor	Description	Position	Committee / Action	Impact on SBCC	Impact on Stakeholders
HB 1157	Housing supply	Bateman (Prime), Gilday	Increases housing supply through the growth management act and housing density tax incentives for local governments.	Neutral - Monitor	H Local Govt Feb 5: Scheduled for executive session in the H. Committee on Local Gov.	No	No
HB 1180	Public testimony	Kraft	Allows agencies to hold virtual meetings and requiring time at every meeting for public testimony. The SBCC follows the same or similar procedures maintaining the same regulatory effect. During the pandemic, the SBCC has been successfully interacting with the public virtually, including the public testimony.	Neutral – Monitor	H Local Govt Feb 2: Executive session in the H. Committee on Local Gov.	No Provides more clarity and specificity for implementation	No
SB 5126	Washington Climate Commitment Act	Carlyle (Prime), Saldaña	Amends the Washington climate commitment act. It is a carbon cap bill that focuses on utilities and manufacturing and doesn't address the building codes or SBCC.	Neutral - Monitor	S Env, Energy &	No	No
HB 1192	Technical corrections	Goodman (Prime), Dufault	Makes technical corrections and removing obsolete language from the Revised Code of Washington pursuant to RCW 1.08.025	Monitor	H Civil R & Judi	No	No
SB 5221	Accessory dwelling units	Gildon (Prime), Lias	Addresses regulating accessory dwelling units located outside of urban growth areas. SB 5221 is a zoning bill that is refining previous legislation directing cities and counties to allow and encourage accessory dwelling units. Previously, many cities restricted the construction of such dwellings. This bill is adding some restrictions to the previous legislation.	Monitor	S Housing & Local	No	No

Bill Number	Title	Sponsor	Description	Position	Committee / Action	Impact on SBCC	Impact on Stakeholders
January 22, 2021							
HB 1184 Companion SB5087	On-site nonpotable water systems.	Duerr (Prime), Ramel, Dolan, Harris-Talley	Requires the department of health to consult and coordinate with SBCC when developing rules related to on-site nonpotable water systems and when developing the building code language. Although it is unclear at this time how the department of health is planning to coordinate and consult with SBCC, the mandates in this bill have potentially big impacts on SBCC normal course of business. The effective date (July 1, 2022) is unrealistic. Cross connection (contamination) is an issue.	Neutral/ Monitor	H Local Govt Jan 29: Executive session in the H. Committee on Local Gov.	Yes Fiscal impact above \$60,000	Yes
SB 5087 Companion HB1184	On-site nonpotable water systems.	Hasegawa (Prime), Wilson, C.	See HB 1184	Neutral	S Environment, E & Technology	Yes	Yes
HB 1280	Concerning greenhouse gas emissions reductions in the design of public facilities.	Ramel (Prime), Duerr	Addresses greenhouse gas emissions reductions in the design of public facilities, and is amending RCW 39.35.010, 39.35.020, 39.35.030, and 39.35.050. The language, as written, is irrelevant to the SBCC business.	Miss-assigned			
SB 5280	Administrative procedures	Wilson, J. (Prime), Fortunato	Narrows the rulemaking authority for state agencies, including the SBCC. Currently, code amendments remain valid for years unless modified in the future by the Council. The bill specifies that in those circumstances where an agency is authorized to write a rule, the rule expires on June 1 of the year following the adoption, unless the legislature postpones the expiration. This waiver would be required for nearly all of the SBCC rulemaking. This is a simplified version of SB1052 from the last session.	Neutral/ Monitor	S State Govt & E	Policy impact: Major Fiscal impact: less than \$50,000	Major The SBCC may not be able to meet its obligations under RCW 19.27 because the SBCC may lose flexibility and the ability to respond quickly to changing situations, which is typical in the building industry.

Bill Number	Title	Sponsor	Description	Position	Committee / Action	Impact on SBCC	Impact on Stakeholders
HB 1187	Split ductless HVAC systems	Hoff (Prime), McEntire	Allows HVAC/refrigeration electricians to perform electrical work on split ductless HVAC systems. The bill adds two new sections to RCW 19.28 RCW. The appropriate entity is the Department of labor and industries.	Miss-assigned	H Labor & Workplace Standards	No	No
HB 1329	Public meeting accessibility and participation Washington state open public meetings act	Wicks (Prime), Harris-Talley, Lekanoff, Morgan, Fey, Lovick, Bateman, Shewmake, Wylie, Ryu, Taylor, J., Pollet, Peterson	Amends and adds new sections to RCW 42.30 (Open Public Meeting Act) pertaining to accessibility and participation	Neutral – Monitor	H Local Government Feb 2: Executive session in the H. Committee on Local Gov.	No	No
January 29, 2021							
SHB 1050	Fluorinated gases	Fitzgibbon	<ul style="list-style-type: none"> Amends references to engineering standards that must be incorporated into state building codes prior to the Department of Ecology (Ecology) adopting GWP restrictions on new stationary refrigeration and air conditioning systems by specifying the version of such standards that exist as of January 1, 2022. Requires the SBCC to solicit input from affected parties prior to adopting rules addressing substitutes, refrigerants, and refrigeration systems or air conditioning systems. 		H Env & Energy	No; changes to mechanical code can be done during the standard three year code cycle process.	Major
SB 5243	Creating efficiency in housing by streamlining approval of engineered plans.	Gildon (Prime), Fortunato, Short	<p>Adds a new section to RCW 19.27 affecting the authority of building departments to enforce the state building code.</p> <ul style="list-style-type: none"> Any building permit applications submitted with plans or specifications signed by a professional engineer or architect must be deemed complete by the building department. 	Neutral – High	S Housing & Local Government	No; Changes to the codes can be done during the standard three year code cycle process.	Major Significant impact on licensed professionals and local building departments

Bill Number	Title	Sponsor	Description	Position	Committee / Action	Impact on SBCC	Impact on Stakeholders
			<ul style="list-style-type: none"> Allows the building department to review the application for general compliance with the zoning or other land use control ordinances, but it may not impose substantial modifications or conditions on such submittals. 				
SB 5360	Inspection and testing of fire and smoke control systems	Cleveland, Short, Salomon	<p>Modification to HB 2701 we are currently working on with the IFC TAG. Adds another qualified person allowed to do the inspections.</p> <p>Currently RCW 19.27.720 requires inspections and tests to be performed by contractors or engineers certified by the international certification board through a program accredited by ANSI under ISO/IEC 17024 standard. The bill adds individuals meeting the NFPA definition of a qualified person who has received training equivalent to the NFPA standards for inspection and testing of fire dampers, smoke dampers, combination fire and smoke dampers, and smoke control systems.</p>	Neutral – Monitor	S Housing & Local Government	No The bill does not require building code amendments	No