



# Washington Landlord Association (WLA)

2022 Legislative Priorities

## AFTER OPPOSITE HOUSE EXCEPT FOR FISCAL CUTOFF REPORT

FRIDAY, FEBRUARY 25, 2022

### WLA Current Top Tier Bill List – After Opposite House Except for Fiscal Cutoff

1. **HB 1099** – Comprehensive Planning – **OPPOSE (A)**
2. **HB 1117** – Comprehensive Planning/Salmon – **OPPOSE (A)**
3. **SB 5042** – GMA Actions Effective Date – **OPPOSE (A)**
4. **SB 5825** – Creating a Rental and Vacant Property Registration Work Group – **OPPOSE (R)**
5. **HB 2064** – Security Deposit Product & Additional Regulation – **OPPOSE (R)**
6. **HB 1770** – Energy Codes – Banning Natural Gas via SBCC – **OPPOSE (A)**
7. **SB 5818** – Promoting Housing Construction by Limiting SEPA & GMA Appeals – **SUPPORT (A)**

Additional information about these bills, their sponsors, their current status, and more below.

(C) = Commercial; (R) = Residential; (M) = Manufactured Housing; (A) = All

### SUPPORT

#### 1. **HB 2105 – Allowing Electronic Notices under the MHLTA**

##### Original Bill

- HB 2105 is **bipartisan** and is **positive for both residents and housing providers**.
- The Electronic Notices option is Voluntary and is a choice by the resident and they can change that choice at any time.
- Having to post the paper Notice on the resident's door (as is required by current law) can be stigmatizing and embarrassing for our residents and is one of their biggest complaints.
- The Electronic Notices option still requires the housing provider to send the same notice by regular mail to the resident under either scenario.

##### Amended Bill

- Requires rental agreement or signed document language or to be in **bold type** and the resident must expressly agree and sign.
- Personal Service must be resumed and Electronic Notices stopped if any of the following happens:
  - The resident requests by email, in writing, or **verbally** that electronic notices be discontinued;
  - Housing provider receives 2 returned or undeliverable messages;
  - Landlord does not receive an email or written response within two weeks of any email asking for a written response; or

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**Chester Baldwin**

Lobbyist/Attorney

[chet@lobbywa.com](mailto:chet@lobbywa.com)

**Rob Trickler**

Executive Director

[Rob@tricklerlaw.com](mailto:Rob@tricklerlaw.com)

- Landlord is aware of any extended internet outages that may interfere with email delivery.

**Sponsors:** *Representatives Gilday, Chapman, Walen, Barkis, Sutherland.*

**STATUS HB:** House Rules Committee

## 2. HB 2020 – Creating Affordable and Sustainable Housing in WA

### Original Bill

- Requires cities or counties planning under the Growth Management Act to enact affordable housing programs for the development of low and moderate-income housing units and sustainable housing programs.
- Establishes a performance fund for jurisdictions that achieve affordability goals.
- Requires the Department of Commerce to establish a Sustainable Equitable Affordable Measured Board.

### Amended Bill

- Removes provisions requiring cities or counties planning under the GMA to enact affordable housing programs for the development of low and moderate-income housing units and sustainable housing programs.
- Requires the Department of Commerce to establish a Sustainable Equitable Affordable Measured Board to provide oversight and guide jurisdictions in achieving goals for sustainable affordable housing.
- The Department must appoint 10–20 members with appropriate expertise to be on the Board.

**Sponsors:** *Representatives Walen, Fitzgibbon, Leavitt, Ramel, Ryu, Macri, Bateman, Lekanoff, Pollet.*

**STATUS HB:** House Appropriations Committee (NTIB)

## 3. HB 1035 – Preservation Tax Credit, Preserving Current Affordable Housing

- Authorizes cities and counties to create an affordable housing incentive program (AHIP) to preserve affordable housing.
- Authorizes an AHIP to provide a 6-year property tax exemption to certain qualifying properties, with one 6-year renewal.
- Requires the local governing authority to include qualifying standards when creating an AHIP, including rent limits and income guidelines.
- Establishes various program requirements and administrative provisions.

**Sponsors:** *Representatives Kloba, Ryu, Ortiz-Self, Duerr, Wylie, Tharinger, Ramel, Gregerson, Valdez, Hackney, Callan, Santos, Pollet, Harris-Talley.*

**STATUS HB:** House Finance Committee (NTIB)

## 4. SB 5818 – Promoting Housing Construction by Limiting SEPA & GMA Appeals

### Original Bill

- Exempts a fully planning city's adopted housing action plan strategies, and permanently exempts optional residential building capacity actions, from review

and legal challenge under the Growth Management Act (GMA) and from review and appeal under the State Environmental Policy Act (SEPA).

- Exempts adoption of certain development regulations or amendments by a fully planning city that increase housing capacity and affordability and mitigate displacement, and that apply outside of critical areas, from review under the GMA and from appeal under SEPA.
- Exempts certain project actions from appeal under SEPA on the basis of or impacts to the aesthetics and light and glare elements of the environment if the project is subject to design review at the local government level.
- Directs the Department of Ecology to modify maximum thresholds in certain SEPA categorical exemptions through expedited rulemaking.

#### **Amended Bill**

- **GMA & SEPA, Exemption from Review and Appeal** – Exempts a fully planning city's adopted housing action plan strategies, and *permanently exempts optional residential building capacity actions, from review and legal challenge under the GMA & SEPA.*
- **SEPA, Categorical Exemptions** – Ecology must undergo expedited rulemaking to modify rule-based categorical exemptions to SEPA, specifically:
  - Add four attached single-family residential units to the current exemption for certain types of construction.
  - Create a new exemption level for single-family residential projects with a total sq ft of fewer than 1500 sq ft in incorporated UGAs of at least 100 units; and
  - Increase the exemption level for multifamily residential project types in incorporated UGAs from 60 units to 200 units.
- **SEPA, Miscellaneous** – Project applicant is not required to file an environmental checklist or any other paperwork to prove that the project is exempt if the initial project application sufficiently shows that the project is exempt under SEPA or by rule.

**Sponsors:** *Senators Salomon, Lias, Kuderer, Saldaña, Short.*

**STATUS SB:** House Rules Committee

#### **5. SB 5463/SJR 8206 – Homestead Property Tax Exemption & Constitutional Amendment**

- Creates Homestead property tax exemption for \$250,000 assessed value for state property taxes, subject to approval by the voters of a constitutional amendment.
- The Washington Constitution requires all taxes to be applied uniformly on property within each taxing district. The Constitution also limits regular property tax levies to a maximum of 1% of a property's assessed value.
- SJR 8206 – Creates a Constitutional Amendment to authorize the creation of a homestead exemption for state property taxes.

**Sponsors:** *SB 5463 – Wilson, L.; SJR 8206 – Wilson, L., Brown*

**STATUS SB:** Senate Ways & Means Committee (NTIB)

## 6. HB 1732 – Delaying the Long-Term Care Act (Long-Term Services & Support – LTSS)

- The legislature passed the Long-Term Care Act in 2019 (LTSS) including a payroll tax that begins in January 2022. There is widespread displeasure with this new tax and the legislature was forced to look at delaying or repealing the tax.
- Delays the start date for the premium assessments under the LTSS Trust Program from Jan 1, 2022, to July 1, 2023.
- Delays the start date for benefits under the Program from Jan 1, 2025 to July 1, 2026.
- Allows individuals born before January 1, 1968, who do not meet the LTSS vesting requirements, to receive partial benefits based on the number of years of premium payments. These individuals may receive 10% of the maximum benefit for each year they worked at least 500 hours and paid the premiums.
- Requires employers to refund employees any LTSS premiums collected before July 1, 2023. The refund must be provided within 120 days of the premium collection.
- Self-employed folks must elect coverage before July 1, 2026, rather than Jan 1, 2025.
- If the employer remitted the premiums to ESD, ESD must refund the employer who is then required to refund the premiums to the employee.
- Individuals born before January 1, 1968, who do not meet vesting requirements may receive partial benefits.

**Sponsors:** *Representatives Sullivan, Chopp, Johnson, J., Walen, Chapman, Berry, Cody, Dolan, Fey, Macri, Peterson, Ryu, Santos, Senn, Shewmake, Wylie, Simmons, Callan, Slatter, Ramos, Bergquist, Tharinger, Valdez, Thai, Pollet, Morgan, Taylor, Stonier, Ortiz-Self, Gregerson, Davis, Riccelli, Ormsby, Duerr, Orwall, Bateman, Kloba, Frame.*

**STATUS HB:** **Signed by the Governor – Effective Date 1/27/2022**

## CONCERNS

### 1. HB 1782/SB 5670 – Changing Single Family Zoning & Creating Middle Housing

- Requires cities planning under the Growth Management Act (GMA) to authorize middle housing types or average minimum densities near transit.
  - Cities with Populations Over 20,000
    - Cities that plan under the GMA must authorize the development of all middle housing types on all lots zoned for detached single-family residential use and within one-half mile of a major transit stop.
    - These cities must also allow development of duplexes, triplexes, and fourplexes on all other lots zone for single-family residential use.
  - Cities with Populations Over 10,000
    - Cities that plan under the GMA must authorize the development of duplexes on all lots zoned for single-family residential use. In addition to duplexes, cities may allow other middle housing types.
    - Alternatively, cities with a population between 10,000 and 20,000 may alter local zoning to allow an average minimum density equivalent to 15 dwelling units or more per gross acre.

- Requires the Department of Commerce to provide technical assistance to cities authorizing middle housing types or average minimum densities and to develop model middle housing ordinances.

**Sponsors:** *Representatives Bateman, Macri, Berry, Fitzgibbon, Ryu, Dolan, Wicks, Johnson, J., Barkis, Davis, Goodman, Gregerson, Morgan, Peterson, Ramel, Simmons, Slatter, Bergquist, Valdez, Thai, Duerr, Stonier, Riccelli, Ormsby, Taylor, Harris-Talley, Hackney, Kloba, Frame*

*By Request: Office of the Governor*

**STATUS HB:** **DEAD** – House Floor

**STATUS SB:** **DEAD** – Senate Ways & Means Committee

## **OPPOSED**

### **1. 1099 – Comprehensive Planning**

- Adds a goal of climate change mitigation to the listed goals of the Growth Management Act (GMA) and to the list of elements that must be included within the comprehensive plans certain counties and cities must adopt under the GMA.
- Requires the Department of Commerce (Commerce), in consultation with other state agencies, to publish guidelines that specify a set of actions counties and cities have available to take related to greenhouse gas (GHG) emissions reductions and vehicle miles traveled (VMT) reductions.
- Requires the climate change and resiliency element of the comprehensive plan of certain counties and cities to identify actions the jurisdiction will take to reduce GHG emissions and VMT and address the adverse impacts of climate change on people, property, and ecological systems.
- Specifies the process by which the GHG emissions reduction subelement of the climate change and resiliency element takes effect.
- Requires Commerce to adopt guidance that creates a model climate change and resiliency element.
- Requires the Department of Ecology to update its Shoreline Master Program guidelines to require Shoreline Master Programs to address the impact of sea level rise and increased storm severity.
- Adds consideration of climate change impacts to the list of elements that must be contained in optional comprehensive flood control management plans

**Sponsors:** *Representatives Duerr, Fitzgibbon, Dolan, Bateman, Ramel, Gregerson, Goodman, Ryu, Kloba, Chopp, Ormsby, Pollet, Fey, Santos, Davis*

**STATUS:** **Senate Ways & Means Committee**

**Executive Session:** [Monday, February 28 at 10:00 a.m.](#)

### **2. SB 5042 - GMA Actions Effective Date**

- Provides that the effective date of certain actions taken under the Growth Management Act (GMA) will be the later of the two following dates:

- 60 days after publication of notice of the action, or
- If a petition for review to the Growth Management Hearings Board (Board) is timely filed, the date on which the Board's final order is issued.
- Includes, in the list of actions under the GMA subject to the effective dates established in the bill:
  - Expansion of an Urban Growth Area
  - Removal of the designation of agricultural, forest, or mineral resource lands;
  - Creation or expansion of a limited area of more intensive rural development;
  - Establishment of a new fully contained community; and creation or expansion of a master planned resort.
  - Creation or expansion of a master planned resort.

**Sponsors:** *Senators Salomon, Billig, Kuderer, Liias, Wilson, C.*

**STATUS:** House Rules Committee

### 3. HB 1117 - Comprehensive Planning/Salmon

- Adds salmon recovery as a goal under the Growth Management Act (GMA).
- Requires the land use element of comprehensive plans adopted under the GMA to include a strategy that achieves net ecological gain of salmon habitat.
- Requires the capital facilities element and transportation element of comprehensive plans adopted under the GMA to include a schedule for elimination of all identified fish passage barriers.
- Requires the Department of Fish and Wildlife to adopt rules that establish criteria for net ecological gain which certain counties and cities must meet through adoption of comprehensive plans.

**Sponsors:** *Representatives Lekanoff, Fitzgibbon, Bateman, Simmons, Ramel, Peterson, Goodman, Ryu, Kloba, Chopp, Pollet, Macri, Davis*

**STATUS:** Senate Ways and Means Committee

**Hearing:** Saturday, February 26 at 9:00 a.m.

**Executive Session:** Monday, February 28 at 10:00 a.m.

### 4. SB 5139 – Rent Control after COVID

- Establishes Rent Control in WA State
- Prohibits a housing provider from increasing rent or other charges for the first 6 months after the end of the Governor’s emergency eviction ban under 59.18.
- After the first 6 months expire, housing providers are then limited to only increasing rent by 3% over the previous year’s consumer price index, for a subsequent six months, based on the rental rate as it was on March 1, 2020. Revises landlord and tenant provisions regarding the protection of certain residential tenants to include:

**Sponsors:** *Senators Das, Lovelett, Darneille, Hunt, Liias, Nguyen, Wilson, C.*

**STATUS:** **DEAD** – Senate Housing & Local Government Committee

## 5. HB 2017 – Banning Criminal Records in Tenant Screening

- Prohibits housing provider from advertising or operating their rental as "crime free".
- Prohibits a housing provider from requesting criminal history information from a current or prospective tenant.
- Prohibits a housing provider from denying a prospective tenant the tenancy for a criminal conviction.
- Prohibits taking adverse action or terminating a tenancy of a tenant for criminal history discovered after the inception of the tenancy.
- The maximum penalty for a violation of this bill is \$7,500 for each person.

**Sponsors:** *Representatives Davis, Simmons, Goodman, Johnson, J., Peterson, Ramel, Ryu, Sells, Macri, Frame, Lekanoff*

**STATUS:** **DEAD** – House Housing, Human Services & Veterans Committee

## 6. HB 2023 – Allowing Tenant Rights Claims Using the Consumer Protection Act (CPA)

- Creates a new cause of action against housing providers and establishes a court process for the enforcement of tenant rights.
- Allows tenants to sue under the Consumer Protection Act (CPA) for violations of the Residential Landlord-Tenant Act (RLTA), the Mobile Home Landlord-Tenant Act (MHLTA), and other laws and agreements may be enforced.
- The CPA provides for treble (triple) damages and attorney's fees for the tenant if they prevail in the lawsuit against the housing provider.

**Sponsors:** *Representatives Hackney, Macri, Berry, Fitzgibbon, Johnson, J., Peterson, Ramel, Chopp, Bateman and Pollet.*

**STATUS:** **DEAD** – House Housing, Human Services & Veterans Committee

## 7. HB 1904 – Rent Control Lite, One-way Lease, & Limiting Late Fees

### Original Bill

- Requires housing providers to give between 180-220 days' notice for all rent increases over 3%.
- Creates a one-way lease where tenants can leave at any time, even in the middle of a rental agreement term.
- Requires housing providers to inform the tenant, when they receive the notice of rent increase, that they may terminate the tenancy at any time and cannot be held liable for rent after vacating.
- Caps late fees at 1.5% of the monthly rent.
- The bill creates a term called "base rent" and specifies that the increase notice applies to base rent and does not apply to utility costs.
- Removes the 20-day notice requirement for a tenant to terminate a tenancy if a rent increase notice of 3% or more is given.
- Allows a tenant who pays the increased rent after not receiving the proper notice to sue the housing provider for the excess rent, damages, and attorney's fees.

- Establishes Rent Control in WA State for the period after a rent increase

**Amended Bill**

- Changes the percentage that triggers a landlord's requirement to provide extended notice 3% to 7.5%.
- Requires a tenant terminating a tenancy due to a rent increase to provide 20 days' written for a month-to-month or periodic tenancy or at least 45 days' notice for a tenancy of a specified period.
- Changes cap on late fees from 1.5% to \$75.
- Adds MHLTA tenancies to the restrictions in the bill and requires between 180- and 220-days' notice for any rent increase greater than 4%. A tenant receiving such notice may terminate the tenancy at any point prior to the effective date of the increase by providing 45 days' notice.

**Sponsors:** *Representatives Peterson, Morgan, Simmons, Chopp, Ormsby, Johnson, J., Ramel, Hackney, Frame, Riccelli, Lekanoff, Taylor, Bateman, Fitzgibbon, Macri, Harris-Talley, Pollet*

**STATUS:** **DEAD** – House Floor

**8. SB 5576 – Payment Plan Extension and Three Strike Removal**

- Removes the prohibition on judicial discretion in eviction proceedings if a tenant receives three or more pay or vacate notices within the previous 12 months.
- Clarifies that for rental arrears accrued through six months following the end of the Governor's state of emergency proclamation, a 14-day pay or vacate notice may not be issued until expiration of 14 days after a repayment plan is offered and the tenant fails to accept the offer.
- Requires courts to accommodate virtual representation by legal counsel appointed for indigent tenants, as well as virtual participation for tenants, upon request.
- Authorizes landlords to use an alternative form to satisfy the additional notice requirement under the eviction resolution pilot program.
- Makes changes to the 14-day pay or vacate notice and eviction summons.

**Sponsors:** *Senators Kuderer, Trudeau, Das, Hasegawa, Lovelett, Nobles, Saldaña, Wilson, C.*

**STATUS:** **DEAD** – Senate Floor

**9. HB 1300 – Security Deposit Documentation Requirements**

**Original Bill**

- Requires housing providers to provide a written checklist to the tenant in order to collect a security deposit.
- Requires the housing provider to provide documentation of estimates or invoices to repair damage, or the cost of materials and labor if the housing provider does the repairs themselves before retaining any portion of the security deposit.
- Excludes several types of damage that a housing provider is allowed to deduct from a security deposit.
- Excludes carpet cleaning beyond 'wear from ordinary use'

- Excludes “excess cost” of repair and replacement of fixtures, appliances, and furnishings beyond ‘wear from ordinary use’, or costs of repair and replacement if their condition was not reasonably described in the written checklist.
- Allows the tenant to request a walkthrough in which the tenant is present, between 14 and 30 days before the termination of a rental agreement and requires the housing provider to schedule before the termination of the tenancy.
- Prevents any action taken against a tenant to recover damage costs beyond the amount of the security deposit to be commenced within one year of the termination of the tenancy.

**Amended Bill**

- Strikes section 3(2), which permits the tenant to request a walkthrough before the end of the rental agreement, and, after the walkthrough, requires the landlord to provide a written checklist of the damages to the tenant.
- Strikes language listing the walkthrough checklist as documentation required in order to support damages charged to the tenant, reported to any consumer reporting agency, tenant screening service, or prospective landlord, or submitted for collection by a thirdparty agency.
- Changes the timeline that the landlord must refund the tenant’s deposit, along with providing documentation explaining the basis for retaining any of the deposit, from 21 days to 30 days.

**Sponsors:** *Representatives Thai, Chopp, Ramel, Simmons, Fitzgibbon, Peterson, Davis, Macri, Pollet, Slatter, Stonier, Taylor*

**STATUS:** **DEAD** – House Rules Committee

**10. SB 5079 – 3-Year Park Closure Notice for MHC’s**

- Most parks that are closing are being redeveloped into sites that serve many more housing units to support our communities. The legislature should encourage redevelopment of aging low-density housing to house more WA families.
- If enacted as written, it would likely constitute an Unconstitutional taking – likely why the legislative has stopped this effort for many years. It unfairly discriminates against just one type of real estate and housing.
- It stifles the addition of new housing to our region – when the legislature has already authorized the Department of Commerce to look at expanding opportunities.
- A commercial purchaser is not going to wait 3 years. If enacted, this bill could effectively impair the appraisal value of all MHC real property instantly.

**Sponsors:** *Senators: Das, Kuderer*

**STATUS SB:** **DEAD** – Senate Floor

**11. HB 1100 – Forced Right of First Refusal for MHC’s**

- It unfairly discriminates against just one type of real estate and housing without any data to support this. If enacted, it would likely constitute an unconstitutional taking.

- This bill would harm residents by creating “false alarms”; a sale does not necessarily mean a community is closing. By far, most sales occur with the new owners intending to continue as an MHC. Any legislation must be limited to when a community owner voluntarily lists their community with a broker.
- Our Supreme Court has previously stated that a MH community closure “does not breach any of [the residents] legal rights or entitlements.”

**Sponsors:** *Representatives Duerr, Kloba*

**STATUS:** **DEAD** – House Rules Committee

## 12. SB 5825 – Establishing a Rental and Vacant Property Registration Work Group

### Original Bill

- Requires the Department of Commerce to convene a work group to evaluate the feasibility of creating a statewide rental and vacant property registration program and corresponding database.
- Registration of properties could lead to additional costs and taxes being directed at the properties identified.

### Amended Bill

- Changes the deadline by which the Commerce must issue a final report, including any work group findings and recommendations, to the Legislature from December 1, 2022 to June 1, 2023.
- Provides that the section requiring Commerce to convene a work group to make recommendations on creating a statewide rental and vacant property registration program expires on June 1, 2024, rather than January 1, 2023.

**Sponsors:** *Senators Kuderer, Das, Lovelett, Nobles, Wilson, C.*

**STATUS:** House Rules Committee

## 13. HB 2064 – Security Deposit Product & Additional Regulation

### Original Bill

- Authorizes landlords to offer tenants the option of paying an entirely or partially nonrefundable fee in lieu of a security deposit.
- Removes requirement under the RLTA that a tenant is current on rent before being able to exercise rights.
- A landlord may offer the tenant the option of paying a fee in lieu of a full security deposit. The landlord can’t use the fact a prospective tenant opts to pay the fee in lieu of a security deposit as a criterion in determining whether to rent to that tenant.
- Any landlord who offers the fee in lieu of the security deposit must offer the choice of the fee to every prospective tenant whose application for occupancy has been approved, without regard to certain protected class statuses as well as income, household size, and credit score.

- Requires that any entirely or partially nonrefundable fee in lieu of a security deposit collected by the landlord be used to purchase insurance coverage for the landlord's losses associated with unpaid rent or unit damage.

**Amended Bill**

- Authorizes landlords to offer tenants the option of paying an entirely or partially nonrefundable fee in lieu of a security deposit.
- Reinstates requirement under the RLTA that a tenant is current on rent before being able to exercise rights under the Act.
- Provisions relating to judicial action or other collection activity pertain only to situations in which a tenant has paid a fee in lieu of a security deposit.
- Clarifies that the landlord must provide the form to the tenant with any lease and renewal that includes the option to pay a fee instead of a security deposit.
- If the landlord fails to purchase or maintain the insurance, the landlord must credit the total insurance coverage stated in the disclosure to any indebtedness owed by the tenant when the tenant vacates the unit.

**Sponsors:** *Representatives Peterson, Simmons, Chopp, Lekanoff and Taylor.*

**STATUS:** Senate Rules Committee

**14. HB 1766/SB 5668 – Regulation on Gas Companies – Banning Natural Gas via Gas Utilities**

- Requires gas companies regulated by the UTC to develop and implement Clean Heat Transition Plans, with the first due by January, 2024.
- Limits gas companies' ability to provide new gas service and to install new gas equipment to meet energy conservation targets.
- Allows gas companies to provide renewable hydrogen and hydrogen produced by electrolysis as part of a renewable gas program.

**Sponsors:** *Representatives Ramel, Macri, Berry, Dolan, Fitzgibbon, Ryu, Wicks, Wylie, Bateman, Duerr, Shewmake, Chopp, Tharinger, Valdez, Pollet, Stonier, Goodman, Callan, Harris-Talley, Hackney, Kloba, Frame; Senators Liias, Carlyle, Conway, Das, Hunt, Lovelett, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford*

*By Request: Office of the Governor*

**STATUS HB:** **DEAD** – House Environment & Energy Committee

**STATUS SB:** **DEAD** – Senate Environment, Energy & Technology Committee

**15. HB 1767/SB 5666 – Targeted Electrification – Banning Natural Gas via Electric Utilities**

- Authorizes the governing body of municipal electric utilities and public utility districts (PUDs) to adopt a targeted electrification plan that establishes a finding that utility outreach and investment in the electrification of customers' end use equipment in residential and commercial buildings will provide net benefits to the utility or PUD.
- Identifies certain benefits that may, and certain costs that must, be addressed in a targeted electrification plan.

- Authorizes municipal electric utilities and PUDs, upon the adoption of a targeted electrification plan, to offer incentives and establish other programs to accelerate the targeted electrification of homes and buildings for their customers.

**Sponsors:** *Representatives Ramel, Macri, Berry, Dolan, Fitzgibbon, Ryu, Wicks, Wylie, Bateman, Duerr, Shewmake, Chopp, Tharinger, Valdez, Pollet, Stonier, Goodman, Callan, Harris-Talley, Hackney, Kloba, Frame; Senators Liias, Carlyle, Conway, Das, Hunt, Lovelett, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford*

*By Request: Office of the Governor*

**STATUS HB:** **DEAD** – House Floor

**STATUS SB:** **DEAD** – Senate Environment, Energy & Technology Committee

## 16. HB 1770/SB 5669 – Energy Codes – Banning Natural Gas via SBCC

### Original Bill

- Attempts to codify the unlawful decision of the State Building Code Council (SBCC) to Ban Natural Gas and requires new buildings to be net-zero ready.
- Updates the minimum State Energy Code requirements for residential and nonresidential construction.
- Preempts local residential codes with the Washington State Energy Code and the Statewide Residential Reach Code.
- Requires the State Building Code Council to adopt a statewide residential reach code and requires the Department of Commerce to develop rulemaking documents and a proposal covering the technical provisions.

### Amended Bill

- Eliminates the net-zero readiness requirement by 2034.
- Eliminates the requirement for an 80% reduction in annual net energy consumption from the 2006 Washington state energy code.
- Eliminates the home affordability cost analysis.

**Sponsors:** *Representatives Duerr, Ramel, Berry, Dolan, Fitzgibbon, Ryu, Wylie, Berg, Davis, Goodman, Macri, Peterson, Slatter, Valdez, Pollet, Hackney, Kloba, Frame*

*By Request: Office of the Governor*

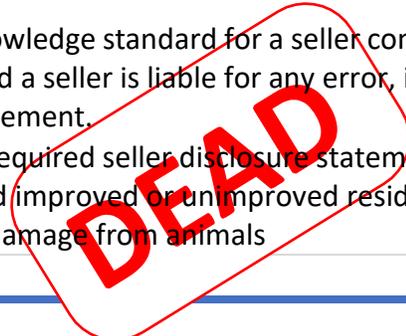
**STATUS HB:** Senate Floor

**STATUS SB:** **DEAD** – Senate Environment, Energy & Technology Committee

## 17. HB 1951 – Creating Seller Liability with the Seller Disclosure Statements

### Original Bill

- The actual knowledge standard for a seller completing the disclosure statement is removed and a seller is liable for any error, inaccuracy, or omission in the disclosure statement.
- Modifies the required seller disclosure statement in transactions for commercial real estate and improved or unimproved residential real property to require disclosure of damage from animals



- Removes a seller's option to select "don't know" and removes the actual knowledge standard for a seller completing the disclosure.
- Provides that a seller is liable for any error, inaccuracy, or omission in the seller's disclosure statement.

**Amended Bill**

- The substitute bill restores existing law that the previous version had attempted to change, including:
  - Eliminating a seller's option to select "don't know"
  - Eliminate the actual knowledge standard for a seller completing the disclosure
  - Directing sellers to provide any relevant information for each category of the disclosure and corresponding space for that information; and
  - Making a seller liable for any error, accuracy, or omission in the disclosure.
- The Substitute bill states that disclosures made by sellers are based on their "actual knowledge" and states that sellers are not liable for any error, inaccuracy, or omission in the disclosure statement.
- Modifies the required seller disclosure statement in transactions for commercial real estate and improved or unimproved residential real property to require disclosure of damage from animals

**Sponsors:** *Representatives Morgan, Fitzgibbon, Orwall, McEntire, Ryu, Ormsby, Kloba, Harris-Talley*

**STATUS HB:** **DEAD** – House Rules Committee

**18. HB 1494/HJR 4204 – Split Roll Property Tax & Constitutional Amendment**

- Creates Split roll property tax by giving exemption for primary residence that must be recouped by property taxes from other properties.
- Created tax exemption for principal residences up to \$250,000 of assessed value.
- The Washington Constitution requires all taxes to be applied uniformly on property within each taxing district. The Constitution also limits regular property tax levies to a maximum of 1% of a property's assessed value.
- HJR 4204 – Creates a Constitutional Amendment to get around the “Uniformity Clause” in the WA Constitution.

**Sponsors:** **HB 1494** – *Harris-Talley, Berg, Davis, Wicks, Peterson, Ortiz-Self, Orwall, Gregerson, Chapman, Ramel, Simmons, Berry, Lekanoff, Frame, Hackney, Slatter, Duerr, Kirby, Thai, Valdez, Ormsby, Morgan;* **HJR 4204** – *Harris-Talley, Berg, Wicks, Peterson, Ortiz-Self, Simmons, Gregerson, Chapman, Berry, Frame, Thai, Pollet, Ormsby, Davis, Ramel*

**STATUS HB:** House Appropriations Committee (NTIB)

**19. HB 1465 – Making the Estate Tax More Progressive by Increasing the Estate Tax**

- Makes changes to the Washington Estate Tax, including increasing the exclusion amount, changing deductions, and making changes to the rates and rate structure.
- Creates the Equity in Housing Account to be funded by 10 percent of the estate tax revenues.

- Increases the Estate Taxes for moderate and large estates by as much as double.

**Sponsors:** *Representatives Orwall, Ramel, Ryu, Wylie, Frame, Ormsby, Valdez, Pollet, Thai, Chopp, Macri, Harris-Talley*

**STATUS HB:** House Finance Committee (NTIB)