

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 6291 E S SB	<b>Title:</b> State building code council
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## Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts						
Loc School dist-SPI						
Local Gov. Other	No fiscal impact					
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Office of the Governor	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Enterprise Services	.0	0	0	0	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	No fiscal impact								
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of the Governor	.0	0	0	.0	0	0	.0	0	0
Department of Enterprise Services	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	No fiscal impact								
Local Gov. Total									

# Estimated Capital Budget Breakout

NONE

<b>Prepared by:</b> Val Terre, OFM	<b>Phone:</b> (360) 280-3073	<b>Date Published:</b> Final 2/23/2024
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6291 E S SB	<b>Title:</b> State building code council	<b>Agency:</b> 075-Office of the Governor
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Kellen Wright	Phone: 360-786-7134	Date: 02/20/2024
Agency Preparation: Kathy Cody	Phone: (360) 480-7237	Date: 02/21/2024
Agency Approval: Jamie Langford	Phone: (360) 870-7766	Date: 02/21/2024
OFM Review: Val Terre	Phone: (360) 280-3073	Date: 02/21/2024

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Changes included in the engrossed substitute version do not affect the Office of the Governor and therefore do not impact assumptions from the previous version.

SB 6291 changes the following regarding the Governor's appointments to the state building code council:

- Section 4(f) states that each of the 15 council members appointed by the governor shall hold office until the appointment of a successor, not to exceed 11 days after the term has expired. If no appointment is made to replace the member after 90 days, the member's position shall become vacant.

- Section 5 states that the Governor shall appoint a qualified replacement within 60 days of receiving council nominations.

The changes regarding the appointment of members can be done within existing resources and therefore there is no fiscal impact.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6291 E S SB	<b>Title:</b> State building code council	<b>Agency:</b> 179-Department of Enterprise Services
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Kellen Wright	Phone: 360-786-7134	Date: 02/20/2024
Agency Preparation: Michael Diaz	Phone: (360) 407-8131	Date: 02/22/2024
Agency Approval: Jessica Goodwin	Phone: (360) 819-3719	Date: 02/22/2024
OFM Review: Val Terre	Phone: (360) 280-3073	Date: 02/23/2024

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Subsection 1(3) amends RCW 19.27.031 and 2018 c 189 s 1 and adds that substantive changes to the state building code may only be adopted within the three-year cycle except as provided in section 6 of this act. This subsection also requires the council to review the most recent editions of each of the model codes and take action on adoption no later than 30 months after the date of publication of such code.

Subsection 1(4) is added to RCW 19.27.031 and 2018 c 189 s 1 stating that the council may initiate and implement an interim code adoption cycle for all Washington state building codes if a majority of its voting membership determines one is needed as provided in section 6 through 8 of this act.

Subsection 1(5) is added to RCW 19.27.031 and 2018 c 189 s 1 stating that petitions for emergency statewide amendments to the building code may be submitted, considered, and adopted at any time in accordance with RCW 34.05.350 and sections 6 through 8 of this act.

Subsection 1(6) is added to RCW 19.27.031 and 2018 c 189 s 1 stating that off-cycle amendments to any of the Washington state building codes may be initiated and implemented at any time if directed by the legislature.

Subsection 2(3) amends RCW 19.27.070 and 2018 c 207 s 3 stating that ex officio members shall not be counted for purposes of quorums, calling special meetings, or voting thresholds.

Subsection 2(4)(f) is added and states that each of the 15 council members appointed by the governor shall hold office until the appointment of a successor, not to exceed 90 days after the term has expired. If the appointment is still not filled, the position shall become vacant and shall not be counted for purposes of quorums, calling special meetings, or voting thresholds.

Subsection 2(5) is amended and states that within three days after a council member representing the trade associations term has expired, the council must post a message on the council website informing the stakeholders and members of the public that there is an open council position. The trade association must provide nominations no later than 30 days after a council position is open. The governor shall appoint a qualified replacement within 60 days after the qualified nominations are received.

Subsection 2(7) is added stating that within one year of employment or appointment, employees of the state building code council and members of the state building code council must receive training on ethics in public service including, but not limited to, provisions of chapter 42.52 RCW.

Subsection 3(3) amends RCW 19.27.074 and 2018 c 207 s 4 adding that the Department of Enterprise Services (DES) shall also employ a managing director of the council to perform all duties necessary to carry out the intent and purposes of this chapter and chapter 19.27A RCW. This subsection also amends the contracted independent, third-party entity to perform comparative economic and energy analyses of proposed Washington energy code amendments and prior versions of the Washington energy code, including compliance with RCW 34.05.328 and 19.27A.160.

Subsection 3(5) is amended and adds standing committees, ad hoc committees and technical advisory groups (TAG) to the list of meetings that shall be open to the public under the open public meetings act. This subsection specifies that all council decisions related to the codes enumerated in RCW 19.27.031 shall be approved by at least a majority of the voting members of the council, not just the member of the council.

Subsection 4(1) amends RCW 19.27A.025 and 2019 c 285 s 17 to include renovated nonresidential buildings, as specified in

this chapter.

Subsection 4(3) amends RCW 19.27A.025 and 2019 c 285 s 17 changing that a disputed provision is one which was adopted by the SBCC with less than a two-thirds vote of the voting members, not a two-thirds majority vote.

Section 6 adds a new section to chapter 19.27 RCW and lists the criteria that must be met to adopt or amend the state building code or statewide amendments to the state building code as defined in RCW 19.27.031. This section also describes who may submit a petition for statewide amendments and when, what happens if the petition is incomplete, where the council refers the statewide amendment once approved, and a requirement of the council to develop a process for council meetings that allows members of the public to understand amendments being proposed for adoption.

Section 7 adds a new section to chapter 19.27 RCW stating that the SBCC may appoint a TAG to review petitions for statewide amendments. This section identifies who should be on the TAG, what a person should do should they wish to be on a TAG, and that a majority of the TAG voting members must approve the petition before it can go to the SBCC for consideration.

Section 8 adds a new section to 19.27 RCW stating that following the close of the public comment period and any public hearing required by chapter 34.05 RCW the SBCC shall approve or disprove the final adoption or amendment of codes of statewide application.

This legislation clarifies and streamlines SBCC operating procedures and clarifies and establishes criteria for statewide amendments to the state building code. Any administrative updates that come from this legislation can be done with existing resources.

This has no fiscal impact to the Department of Enterprise Services.

## **II. B - Cash receipts Impact**

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

## **II. C - Expenditures**

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

# **Part III: Expenditure Detail**

## **III. A - Operating Budget Expenditures**

NONE

## **III. B - Expenditures by Object Or Purpose**

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

## **III. D - Expenditures By Program (optional)**

NONE



## **Part IV: Capital Budget Impact**

### **IV. A - Capital Budget Expenditures**

NONE

### **IV. B - Expenditures by Object Or Purpose**

NONE

### **IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

### **IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

**Bill Number:** 6291 E S SB

**Title:** State building code council

## Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- Cities:
- Counties:
- Special Districts:
- Specific jurisdictions only:
- Variance occurs due to:

## Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time:

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

None

## Part III: Preparation and Approval

Fiscal Note Analyst: Kristine Williams	Phone: (564) 669-3002	Date: 02/21/2024
Leg. Committee Contact: Kellen Wright	Phone: 360-786-7134	Date: 02/20/2024
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/21/2024
OFM Review: Val Terre	Phone: (360) 280-3073	Date: 02/21/2024

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

*Description of the bill with an emphasis on how it impacts local government.*

This note is on 6291 ESSB and compares it to 6291 SB.

#### **CHANGES BETWEEN THIS VERSION AND THE PRIOR VERSION OF THE BILL:**

This version of the bill makes technical changes to the previous bill and also makes the Energy Code the minimum energy code for renovated as well as new, nonresidential buildings.

These changes do not affect the fiscal impacts discussed below.

#### **SUMMARY OF CURRENT BILL:**

This legislation would establish a three-year state building code adoption cycle and streamline certain state building code council operating procedures.

This legislation would take effect 90 days after adjournment of the session in which the bill is passed.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

*Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.*

This bill would not impact local government expenditures.

This legislation makes technical changes which are administrative in nature. The state building codes are reviewed and updated every three years. However, amendments may require off-cycle updates. This legislation clarifies procedures to be used for amendments.

### **C. SUMMARY OF REVENUE IMPACTS**

*Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.*

This bill would not impact local government revenues.

#### **SOURCES**

Association of Washington Cities (AWC)