



2023 Legislative Session Weekly Report

CleanTech Alliance

February 19, 2023

Week Six

The 2023 legislative session is now more than one third complete and this week marked the first major cutoff. On Friday all bills needed to be voted out of their house of origin policy committee in order to stay alive this session. However it is important to note that no issue is really dead until the end of the biennium as parts can be resurrected in various ways. This year, members of the House have introduced 846 bills and members of the Senate have introduced 767. Next week, bills that passed the policy committees that have a fiscal impact to the state must pass out of their respective fiscal committees by Friday, February 24th in order to stay alive. Bills that have passed out of the policy committee but have no or minimal fiscal impact will proceed from the policy committee directly to the Rules committee where they remain until they are pulled to the floor for debate and vote. All bills must be voted out of their house of origin (House or Senate) by March 8th. Bills that are deemed necessary to implement the budget, including all revenue proposals, are not subject to cutoff

This legislative session, some of the biggest priority issues including vehicular pursuits ([HB 1363](#)), Blake legislation ([SB 5536](#)), nurse staffing ratios ([SB 5236](#)), and a myriad of housing bills ([read here for article on bill numbers](#)) saw action this week. On Monday, the Senate Transportation Committee heard [SB 5466](#) (Lias, D-21), a governor request bill promoting transit-oriented development. This legislation received strong support from builders, environmentalists, and labor, with 551 people signing in pro.

On Tuesday, the House Finance committee heard a suite of tax bills including [HB 1473](#) (Thai, D-41) which would create a property tax on the ownership of stocks, bonds, and other financial assets over \$250 million. The revenue generated is dedicated to four funds - the Education Legacy Trust Fund, which is a dedicated funding source for early learning, K-12, and higher education; the Housing Trust Fund, which pays for the construction of affordable housing, and two new funds created in the bill: a Disabilities Care Trust account that will pay for services for Washingtonians with disabilities, and a Taxpayer Justice account, that will offer credits against taxes paid by low and middle-income families. The bill attracted a lot of attention, with over 2500 people signed in not wishing to testify.

One of the most contentious issues this session relates to law enforcement vehicular pursuits. Under the current law which was passed two years ago, a police officer may only initiate a pursuit if the officer has reasonable suspicion of a DUI, or probable cause for a violent crime or sex crime. Members of the law enforcement community say that under this new law, pursuits have declined and drivers routinely refuse orders to stop. Supporters of the new law say it has been successful in reducing the number of innocent people killed in pursuits. This week the legislature considered two different approaches to this issue. On Thursday, the Senate Ways and Means Committee heard [SB 5533](#) (Lovick, D-44) which would create a model vehicle pursuit policy work group within the Criminal Justice Training Commission and create a law enforcement technology grant program related to modern vehicle pursuit management technology. The bill heard opposition from the Washington Association of Sheriffs and Police Chiefs who would prefer to see a policy change this session. On Thursday, [SHB 1363](#) (Rule, D-42) passed out of the

House Community Safety, Justice & Reentry Committee. The bill was amended significantly by the committee however, it would allow officers to pursue a suspect if there is a reasonable suspicion of a violent crime, sex offense, vehicular assault, domestic violence, escape, or DUI.

According to the [Washington State Economic & Revenue Update](#) released on Tuesday, February 14th, the Major General Fund-State revenue collected from January 11th to February 10th, 2023, came in \$5.2 million (0.2%) higher than forecasted in November. Cumulatively, collections are \$88.6 million (1.1%) higher than forecasted. Following the March revenue forecast, each chamber will release their respective Operating, Capital, and Transportation budget proposals. After the House and Senate release their proposals, negotiations will begin, and at that point, we will start to see a clearer picture of the budget.

Fiscal committees are meeting over the weekend and will work late into the evenings next week to both hear and take action on bills before Friday's fiscal policy cutoff. The following week legislators will head to the floor to vote bills out of their respective chambers.

We were able to get the thermal RECs bill introduced [HB 1836](#); we will be working on expanding awareness of the issue and concept during the interim.

[SB 5091](#) - *Creating and expanding tax incentives for the research, development, production, and sale of hydrogen fuel cells in Washington state*

This legislation, sponsored by Senator King, would authorize state business and occupation (B&O) tax incentives for businesses engaged in activities related to hydrogen fuel cell research, development, production, and sale. The bill was heard in the Senate Business, Financial Services, Gaming & Trade Committee on [January 19th](#), and passed out of the committee in its [substitute form](#) on [Thursday, February 16th](#). The bill now sits in Ways & Means awaiting a hearing.

Puget Sound Energy's legislation, [HB 1589/SB 5562](#) concerning a clean energy future, passed out of the Senate Environment, Energy & Technology Committee on [Tuesday, February 14th](#) and is now scheduled for a hearing in the Ways & Means Committee on [Monday, February 20th](#). The House version passed out of the House Environment & Energy Committee on [Monday, February 13th](#) and now sits in Rules.

[HB 1584](#) - *Planning for advanced nuclear reactor technology in Washington*

This legislation, sponsored by Representative Barnard, works to include the consideration of developing advanced nuclear reactor technology as a cleaner energy source as a guiding principle for the development of the State Energy Strategy. Executive action was taken in the House Committee on Environment on [Thursday, February 16th](#) where [SHB 1584](#) passed out of committee unanimously. The bill has been referred to Rules for further consideration.

[HB 1505/ SB 5447](#) - *Promoting the alternative jet fuel industry in Washington.*

This legislation, sponsored by Representative Slatter in the House and Senator Billig in the Senate, is the legislation that works to incentivize the production of sustainable aviation fuel. The Senate version of this legislation passed out of the Senate Environment, Energy & Technology Committee on [Tuesday, February 7th](#), and is now scheduled for a hearing in the Ways & Means Committee on [Monday, February 20th](#).

[HB 1216/SB 5380](#) - *Concerning clean energy siting*

This Governor request legislation would create an Interagency Clean Energy Siting Coordinating Council to be co-chaired by the Department of Ecology and the Department of Commerce. The purpose of the council would be to expedite the permitting for clean energy projects. The bill would also establish a definition for clean energy projects "of statewide significance" and require SEPA review to be completed within two years. A [substitute house bill](#) of this legislation was voted out of committee with a do pass recommendation on [February 9th](#). A [substitute bill](#) for

the Senate version was voted out of committee with a do pass recommendation on party lines during executive session taken on [February 10th](#). While this legislation continues to move forward, there is still quite a bit of work left to do.

[HB 1756](#) - *Supporting clean energy through tax changes that increase revenue to local governments, schools, and impacted communities*

This legislation, sponsored by Representative Ramel, provides a property tax exemption from the state property tax levy for personal property used for the generation of renewable energy, imposes a production excise tax on the nameplate capacity of qualified renewable energy generating systems, and creates the renewable energy local benefit account. This bill did not make it through policy committee before Friday's cutoff and appears that it could be dead this legislative session.

[HB 1192](#) / [SB 5165](#) - *Concerning electric power system transmission planning*

Office of the Governor request companion legislation, sponsored by Representative Duerr and Senator Nguyen, remain alive post house of origin policy cutoff. The House version of this legislation passed out of the Environment and Energy Committee on party lines on Monday, [February 13th](#), and has been referred to Rules for further consideration. The Senate vehicle of this legislation The Senate vehicle had a public hearing on Saturday, [February 18th](#).

[HB 1170](#)/[SB 5093](#) - *Improving climate resilience through updates to the state's integrated climate response strategy*

This agency requested legislation, sponsored by Representative Street, requires DOE to update the Integrated Climate Change Response Strategy by July 2024 and every 4 years after. The House vehicle of this legislation was referred to Rules for further consideration on February 14th. The Senate vehicle of this legislation had a public hearing in front of Ways & Means on [February 13th](#), and is scheduled for a public hearing on [Monday, February 20th at 9:00 AM](#).

2023 Session Cutoff Calendar

~~January 9, 2023 – First Day of Session~~

~~February 17, 2023 – Policy Committee Cutoff~~

February 24, 2023 - Fiscal Committee Cutoff

March 8, 2023 - House of Origin Cutoff

March 29, 2023 - Policy Committee Cutoff - Opposite House

April 4, 2023 - Fiscal Committee Cutoff - Opposite House

April 12, 2023 - Opposite House Cutoff

April 23, 2023 - Sine Die

Upcoming Events Report

Ways & Means (Senate) - SHR 4 and Virtual JACB - 2/20 @ 9:00am

- SSB 5093 - Exec Session - Improving climate resilience through updates to the state's integrated climate response strategy.
- SSB 5447 - Public Hearing - Promoting the alternative jet fuel industry in Washington. (Remote Testimony Available).
- SSB 5562 - Public Hearing - Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future. (Remote Testimony Available).

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Appropriations (House) - HHR A and Virtual JLOB - 2/21 @ 1:30pm

- SHB 1216 - Public Hearing - Concerning clean energy siting. (Remote Testimony Available).
- SHB 1391 - Public Hearing - Concerning energy in buildings. (Remote Testimony Available).
- HB 1433 - Exec Session - Concerning energy labeling of residential buildings.

Finance (House) - HHR A and Virtual JLOB - 2/22 @ 8:00am

- HB 1729 - Public Hearing - Creating and expanding tax incentives for the research, development, production, and sale of hydrogen fuel products in Washington state. (Remote Testimony Available).
- HB 1768 - Public Hearing - Exempting certain sales of electricity to qualifying green businesses from the public utilities tax. (Remote Testimony Available).

Ways & Means (Senate) - SHR 4 and Virtual JACB - 2/22 @ 1:30pm

- SSB 5057 - Public Hearing - Creating a work group to evaluate the costs of the state energy performance standard for covered commercial buildings. (Remote Testimony Available).
- SSB 5094 - Public Hearing - Adding a climate resilience element to water system plans. (Remote Testimony Available).
- SSB 5322 - Public Hearing - Requiring environmental and labor reporting for public building construction and renovation material. (Remote Testimony Available).

Appropriations (House) - HHR A and Virtual JLOB - 2/23 @ 9:00am

- HB 1131 - Exec Session - Improving Washington's solid waste management outcomes.
- SHB 1216 - Exec Session - Concerning clean energy siting.
- SHB 1391 - Exec Session - Concerning energy in buildings.

Bill Status

| Bill # | Abbrev. Title | Title | Status | Sponsor |
|--|------------------------------|--|------------------|---------|
| HB 1076 | Salmon voluntary stewardship | Encouraging salmon recovery through voluntary stewardship. | H Env & Energy | Klicker |
| SHB 1094 (SSB 5125) | Future fund program | Creating the Washington future fund program. | H Approps | Stonier |
| HB 1125 (SB 5162) | Transportation budget | Making transportation appropriations for the 2023-2025 fiscal biennium. | H Transportation | Fey |
| HB 1126 (SB 5164) | Transportation budget, supp. | Making supplemental transportation appropriations for the 2021-2023 fiscal biennium. | H Transportation | Fey |
| SHB 1131 (SSB 5154) | Solid waste management | Improving Washington's solid waste management outcomes. | H Approps | Berry |
| HB 1140 (SB 5187) | Operating budget | Making 2023-2025 fiscal biennium operating appropriations. | H Approps | Ormsby |

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| HB 1141 (SB 5188) | Operating budget, supp. | Making 2021-2023 fiscal biennium second supplemental operating appropriations. | H Approps | Ormsby |
| HB 1147 (SB 5200) | Capital budget | Concerning the capital budget. | H Cap Budget | Tharinger |
| HB 1148 (SB 5201) | State gen. obligation bonds | Concerning state general obligation bonds and related accounts. | H Cap Budget | Tharinger |
| 2SHB 1170 (SSB 5093) | Climate response strategy | Improving climate resilience through updates to the state's integrated climate response strategy. | H Rules R | Street |
| SHB 1173 | Light pollution | Reducing light pollution associated with certain energy infrastructure. | H 2nd Reading | Connors |
| 2SHB 1181 (SSB 5203) | Climate change/planning | Improving the state's response to climate change by updating the state's planning framework. | H Rules R | Duerr |
| SHB 1216 (SSB 5380) | Clean energy siting | Concerning clean energy siting. | H Approps | Fitzgibbon |
| SHB 1282 (SSB 5322) | Public building materials | Requiring environmental and labor reporting for public building construction and renovation material. | H Rules R | Duerr |
| SHB 1391 | Energy in buildings | Concerning energy in buildings. | H Approps | Ramel |
| HB 1416 | Consumer-owned utilities | Applying the affected market customer provisions of the Washington clean energy transformation act to nonresidential customers of consumer-owned utilities. | S Environment, En | Doglio |
| SHB 1427 | On-premises energy gen. | Concerning on-premises energy generation. | H Rules R | Mena |
| SHB 1433 | Energy labeling/residential | Concerning energy labeling of residential buildings. | H Approps | Duerr |
| HB 1505 (SSB 5447) | Alternative jet fuel | Promoting the alternative jet fuel industry in Washington. | H Env & Energy | Slatter |
| HB 1509 | Community solar | Concerning fair access to community solar. | H Env & Energy | Hackney |
| HB 1574 | Methane/agriculture | Supporting Washington agriculture by capturing methane and reducing greenhouse gas emissions. | H Ag&Nr | Rule |
| SHB 1584 | Nuclear reactor technology | Planning for advanced nuclear reactor technology in Washington. | H Rules R | Barnard |
| SHB 1589 (SSB 5562) | Clean energy | Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future. | H Rules R | Doglio |
| HB 1619 | Renewable energy resources | Incentivizing development and acquisition of renewable energy resources. | H Env & Energy | Fey |
| HB 1659 | Carbon market prices | Preventing carbon market price manipulation. | H Env & Energy | Dye |
| HB 1729 | Hydrogen fuel products | Creating and expanding tax incentives for the research, development, production, and sale of hydrogen fuel products in Washington state. | H Finance | Abbarno |
| HB 1768 | Green businesses/utility tax | Exempting certain sales of electricity to qualifying green businesses from the public utilities tax. | H Finance | Shavers |

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| SB 5037 | Natural gas/energy code | Ensuring that the Washington state energy code may not prohibit the use of natural gas in buildings. | S Environment, E | Wilson |
| SB 5043 | Power plant long-term policy | Recognizing that power plants that comply with the state greenhouse gas emissions performance standard are consistent with Washington's long-term policy for electricity. | S Environment, E | Short |
| SSB 5057 | Energy standards/commercial | Creating a work group to evaluate the costs of the state energy performance standard for covered commercial buildings. | S Ways & Means | Mullet |
| SSB 5091 | Hydrogen fuel products | Creating and expanding tax incentives for the research, development, production, and sale of hydrogen fuel products in Washington state. | S Ways & Means | King |
| SSB 5093 (2SHB 1170) | Climate response strategy | Improving climate resilience through updates to the state's integrated climate response strategy. | S Ways & Means | Rolfes |
| SSB 5094 | Water system plans/climate | Adding a climate resilience element to water system plans. | S Ways & Means | Rolfes |
| SSB 5125 (SHB 1094) | Future fund program | Creating the Washington future fund program. | S Ways & Means | Trudeau |
| SB 5129 | Nuclear reactor technology | Planning for advanced nuclear reactor technology in Washington. | S 2nd Reading | MacEwen |
| SSB 5133 | Responsible bidder criteria | Modifying the responsible bidder criteria for public works projects. | S Ways & Means | Keiser |
| SB 5146 | Hydropower | Removing regulatory restrictions on hydropower. | S Environment, E | Short |
| SSB 5154 (SHB 1131) | Solid waste management | Improving Washington's solid waste management outcomes. | S Ways & Means | Rolfes |
| SB 5162 (HB 1125) | Transportation budget | Making transportation appropriations for the 2023-2025 fiscal biennium. | S Transportation | Liias |
| SB 5164 (HB 1126) | Transportation budget, supp. | Making supplemental transportation appropriations for the 2021-2023 fiscal biennium. | S Transportation | Liias |
| SSB 5165 (SHB 1192) | Electric transm. planning | Concerning electric power system transmission planning. | S Ways & Means | Nguyen |
| SB 5167 | EFSEC/alt. energy processing | Eliminating expedited processing of alternative energy resource facilities fueled by solar or wind energy on certain designated lands before the energy facility site evaluation council. | S Environment, E | Boehnke |
| SB 5168 | Energy independence act | Modernizing the energy independence act to avoid regulatory duplication and overlap with other laws. | S Environment, E | Boehnke |
| SB 5187 (HB 1140) | Operating budget | Making 2023-2025 fiscal biennium operating appropriations. | S Ways & Means | Rolfes |
| SB 5188 (HB 1141) | Operating budget, supp. | Making 2021-2023 fiscal biennium second supplemental operating appropriations. | S Ways & Means | Rolfes |
| SB 5201 (HB 1148) | State gen. obligation bonds | Concerning state general obligation bonds and related accounts. | S Ways & Means | Mullet |
| SB 5312 | Clean energy/residential | Creating a residential property assessed clean energy and resiliency program. | S Loc Gov, Land | Lovelett |

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| SSB 5322 (SHB 1282) | Public building materials | Requiring environmental and labor reporting for public building construction and renovation material. | S Ways & Means | Wellman |
| SB 5325 | Clean fuel/public transport. | Enhancing access to clean fuel for agencies providing public transportation. | S Environment, E | Shewmake |
| SB 5345 | School buildings/energy | Exempting certain public school buildings from the state energy performance standard. | S Environment, E | Schoesler |
| SSB 5380 (SHB 1216) | Clean energy siting | Concerning clean energy siting. | S Ways & Means | Nguyen |
| SSB 5447 (HB 1505) | Alternative jet fuel | Promoting the alternative jet fuel industry in Washington. | S Ways & Means | Billig |
| SSB 5562 (SHB 1589) | Clean energy | Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future. | S Ways & Means | Nguyen |
| SB 5620 | EV charging/line extensions | Concerning line extension tariffs for electric vehicle charging infrastructure. | S Transportation | Liias |
| SB 5659 | Gas companies/renewable res. | Incentivizing gas companies to develop and acquire renewable energy resources. | S Environment, E | Boehnke |