



2023 Legislative Session Weekly Report

CleanTech Alliance

April 8, 2023

Week Thirteen

Week 13 has come to a close, and there are only two weeks left in the legislative session. During the beginning of the week, legislators primarily focused their attention on moving legislation through fiscal committees by the opposite chamber fiscal committee cutoff on Wednesday, April 4th. Many priority bills made it through the cutoff and are still in play, including middle housing, vehicular pursuits, clean energy siting, transit-oriented development, and legislation addressing the Blake decision. Following Wednesday's cutoff, legislators went right back to their respective chambers to debate and vote on bills on the floor. The next deadline is the Opposite House cutoff on April 12th. Following that cutoff, the legislature will spend the remainder of their time negotiating and passing the Capital, Operating, and Transportation budgets before Sine Die on April 23rd.

Quite a bit of work was done in relation to health care issues this week. Introduced on April 4th and referred to Senate Ways & Means, [SB 5767](#) (Randall, D-26) is a bill that works to put an excise tax on the salaries of C-Suite hospital executives in Washington state. While this legislation may have some movement between now and April 23rd, many predict the legislation will not have legs due to this being an income tax and not an excise tax. On Tuesday, Attorney General-requested legislation [HB 1155](#) (Slatter, D-48), known as the My Health My Data Act, was passed to regulate the collection, sharing, and sale of health data in the state. This bill would prohibit businesses from collecting and sharing any medical data through consumer purchases or geofencing. The bill passed off the Senate floor on April 5th with a vote of 27-21.

Many bills relating to environmental issues continue to have the legislatures attention at this point in session. Clean energy siting legislation, [HB 1216](#) (Fitzgibbon, D-34), works to establish an interagency clean energy siting council to improve siting and the permitting of clean energy projects. This bill awaits a call to the Senate floor for debate and a vote. Puget Sound Energy's (PSE) legislation, [HB 1589](#) (Doglio, D-22), has been a key environmental issue that has progressed through the legislative process this session. The bill works to assist PSE with halting the growth of natural gas by June 30 as it works to pivot reliance on electrifying its power grid. The bill has been moved from Rules, and proponents and opponents are both working hard on this bill.

Department of Natural Resources-requested legislation [HB 1789](#) (Reeves, D-30) works to allow the Department of Ecology to sell allowances to emit carbon pollution. This bill would make it so that DNR is less reliant on bringing money in through the sale of timber. This legislation had garnered a lot of attention throughout the legislative process but looks to be dead for the session after not passing out of Senate Ways and Means before Wednesday's deadline. However, stakeholders interested in this legislation have not stopped watching this bill, as it could be considered necessary to implement the budget (NTIB) and therefore not subject to cutoffs.

While many issues related to labor did make it past Wednesday's cutoff, not all did. [HB 1320](#) (Reed, D-36), which would require employers to provide employees with personnel files when requested, died after the fiscal committee cutoff. A bill regarding employees' paid family or medical leave data, [SB 5586](#) (King, R-14), authorizes certain interested parties to access specified information relating to an employee's paid family or medical leave

claim(s) for the sole purpose of administering internal employer leave or benefit practices under established policies. This bill passed off the House floor unanimously on Wednesday and is now headed to the Governor's desk. This year's ergonomics legislation, [SB 5217](#) (Dhingra, D-45), passed off the House floor on Friday with a vote of 51-46 and is now headed to the Governor's desk.

There is still a lot of work being done surrounding housing issues. Middle Housing legislation, [HB 1110](#) (Bateman, D-22), passed out of Senate Ways & Means on Monday. This bill works to create a path for duplexes, triplexes, quadplexes, and sixplexes to be built in areas that currently only allow single-family homes. This bill has been pulled from Rules and is expected to be a hotly debated issue if it makes it to the Senate floor before cutoff on April 12th. Transit-oriented development, [SB 5466](#) (Liias, D-21), which aims to help with traffic congestion and pollution by building denser housing near transit locations, could have some difficulty as it moves through the House. The bill sits in Rules, and it is unclear if there is a path forward for this legislation. [HB 1628](#) (Chopp, D-43) is a bill that looks to add a 4% real estate excise tax (REET) for sales over \$5 million to help pay for the construction of low-income housing. This bill is considered NTIB and is therefore still alive this legislative session.

[HB 1337](#) (Gregerson, D-33) is a bill that promotes building accessory dwelling units in areas where they are not currently allowed, passed the Senate on Thursday with a vote of 39-7. [HB 1181](#) (Duerr, D-1) encourages land developers to build high-density housing along transit corridors, limit single-family development, and ease traffic that creates more CO2. It passed off the Senate floor on Friday with a party line vote of 29-20. These bills now head to the Governor for his signature in order to become law.

In addition to moving policy legislation through fiscal committees this week, the legislature did a lot of work moving budgets through the legislative process. To pass the budget, the legislature needs to identify which vehicle of the legislation (House or Senate) they will move forward this legislative session. Once identified, that bill will move through the legislative process of being debated in both chambers with changes in the opposite chamber needing to be agreed upon in the originating chamber. Negotiations between the House and Senate will continue through the last day of the session.

The Senate passed its Capital Budget Proposal ([SB 5200](#)) unanimously last week. The House version of the Capital Budget ([HB 1147](#)) remains in Rules awaiting to be pulled to the floor for a vote. The \$13.6 billion House Proposed Transportation budget ([HB 1125](#)) passed off the House floor with a vote of 96-1 and then the Senate passed its version of the Transportation Budget ([Engrossed Striker to ESHB 1125](#)) off the floor on Wednesday with a vote of 42-6. Last week, the Senate passed its nearly \$70 billion House Proposed Operating Budget ([HB 5187](#)) off the floor with a vote of 40-9. On Monday, the House passed their version ([ESSB 5187](#)) on party lines with a vote of 57-40.

To see a full list of bills that have already passed the legislature and have been signed by the Governor, click [here](#). We continue to work on trying to get the best available resource for the Clean Energy Fund as well as the sector grants in the capital and operating budgets. We continue to work on pushing forward the House version of the Clean Energy Fund although in the Senate there are both capital budget and general funding for Clean Energy Fund projects. We will see how budgetary negotiations go. There is funding in the House Operating Budget for economic development grants; we will be working to get these into the final budget.

[SB 5759](#) - *Establishing the development of renewable energy for Washington revolving loan program and account*

This legislation, brought forth by Senators MacEwen and Nguyen, works to carve out a spot to add funding to renewable energy like Electric Vehicles, a buildout of nuclear reactor technology, and other things. [Click here](#) to read bill language. The bill has been referred to the Senate Environment & Energy Committee but a public hearing has not been scheduled.

[HB 1589](#) - *Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future*

This companion legislation, sponsored by Representative Doglio and Senator Nguyen, is an incentive to reduce climate impacts by switching from fossil fuel-based heating equipment to high-efficiency nonemitting equipment. This bill intends to adopt requirements for large combination utilities to conduct integrated system planning to develop specific actions supporting gas system decarbonization and electrification. This bill prohibits gas companies serving more than 500,000 retail natural gas customers in Washington from extending gas service after June 30, 2023 along with a myriad of other directives for utilities. Executive action was taken on [March 28th](#) in front of the Senate Committee on Environment, Energy & Technology. Of the seven proposed amendments, only two were adopted ([Wellman's amendment](#) and [Nguyen's amendment](#)). The [new bill](#) passed out of committee on party lines and now sits in Rules for further consideration.

[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 on [March 24th](#) and it was voted out of committee. The bill continues to sit in Rules.

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

The bill passed out of the Senate, and was heard in the House Environment & Energy Committee on [Monday, March 13th at 1:30pm](#). The bill passed out of committee on [Tuesday, March 21st](#). It had a hearing in the House Finance Committee on [Tuesday, March 28th](#), and passed out of committee in its [amended form](#) unanimously on [Friday, March 31st](#). It will now move to House Rules.

[HB 1216](#) - *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. On Saturday, April 8th, the Senate pulled this legislation to the floor and [ESSHB 1216](#) was voted off the floor by a vote of 30-18. The bill now goes back to the House for concurrence.

[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 passed out of Senate Ways & Means on [April 3rd](#) and the bill sits in Rules awaiting further consideration.

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

Office of the Governor request legislation, sponsored by Senator Nguyen, was voted off the senate floor with a vote of 36-13. The bill has been referred to the Senate Committee on Environment and Energy. The bill was pulled to the floor where it was passed out with a vote of 70-28. Due to changes made in committees, the bill goes back to the Senate for concurrence.

[HB 1170](#) - *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. Executive action was taken in Senate Ways & Means on [April 3rd](#) where it was voted out of committee. On Saturday, April 8th, the bill was pulled for debate

and passed off the floor with a vote of 34-14. The bill will go back to the House for concurrence on changes that were made in the Senate.

[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. We kept this bill in the “monitor” section due to potential movement. The bill was heard in the Senate Ways & Means Committee on [March 9th](#) and executive action was taken on [April 4th](#) where it was passed out of committee unanimously.

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

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
EHB 1125 (SSB 5162)	Transportation budget	Making transportation appropriations for the 2023-2025 fiscal biennium.	H Passed 3rd	Fey
HB 1126 (SB 5164)	Transportation budget, supp.	Making supplemental transportation appropriations for the 2021-2023 fiscal biennium.	H Transportation	Fey
2SHB 1131 (SSB 5154)	Solid waste management	Improving Washington's solid waste management outcomes.	H Rules C	Berry
SHB 1140 (ESSB 5187)	Operating budget	Making 2023-2025 fiscal biennium operating appropriations and 2021-2023 fiscal biennium second supplemental operating appropriations.	H Rules R	Ormsby
HB 1141 (SB 5188)	Operating budget, supp.	Making 2021-2023 fiscal biennium second supplemental operating appropriations.	H Approps	Ormsby
SHB 1147 (ESSB 5200)	Capital budget	Concerning the capital budget.	H Rules R	Tharinger
SHB 1148 (SSB 5201)	State gen. obligation bonds	Concerning state general obligation bonds and related accounts.	H Rules R	Tharinger
E2SHB 1170 (SSB 5093)	Climate response strategy	Improving climate resilience through updates to the state's integrated climate response strategy.	S Passed 3rd	Street

ESHB 1173	Light pollution	Reducing light pollution associated with certain energy infrastructure.	S Passed 3rd	Connors
E2SHB 1181 (SSB 5203)	Climate change/planning	Improving the state's response to climate change by updating the state's planning framework.	S Passed 3rd	Duerr
E2SHB 1216 (SSB 5380)	Clean energy siting	Concerning clean energy siting.	S Passed 3rd	Fitzgibbon
ESHB 1282 (SSB 5322)	Public building materials	Requiring environmental and labor reporting for public building construction and renovation material.	S Ways & Means	Duerr
2SHB 1390	District energy systems	Concerning district energy systems.	S Rules 2	Ramel
2SHB 1391	Energy in buildings	Concerning energy in buildings.	S Environment, E	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 Rules 2	Doglio
SHB 1427	On-premises energy gen.	Concerning on-premises energy generation.	H Rules C	Mena
2SHB 1433	Energy labeling/residential	Concerning energy labeling of residential buildings.	S Environment, En	Duerr
HB 1505 (ESSB 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
ESHB 1584	Nuclear reactor technology	Planning for advanced nuclear reactor technology in Washington.	S Rules 2	Barnard
ESHB 1589 (SSB 5562)	Clean energy	Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future.	S 2nd Reading	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
SHB 1729	Hydrogen fuel products	Creating and expanding tax incentives for the research, development, deployment, production, and sale of hydrogen fuel products in Washington state.	S Environment, En	Abbarno
SHB 1768	Green businesses/utility tax	Exempting certain sales of electricity to qualifying green businesses from the public utilities tax.	S Environment, En	Shavers
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 Rules X	Mullet
2SSB 5091	Hydrogen fuel products	Creating and expanding tax incentives for the research, development, production, and sale of hydrogen fuel products in Washington state.	S Rules 2	King
SSB 5093 (E2SHB 1170)	Climate response strategy	Improving climate resilience through updates to the state's integrated climate response strategy.	S Rules X	Rolfes
SSB 5094	Water system plans/climate	Adding a climate resilience element to water system plans.	H Approps	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 Rules X	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 (2SHB 1131)	Solid waste management	Improving Washington's solid waste management outcomes.	S Ways & Means	Rolfes
SSB 5162 (EHB 1125)	Transportation budget	Making transportation appropriations for the 2021-2023 and 2023-2025 fiscal biennia.	S Rules 2	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.	H Passed 3rd	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
ESSB 5187 (SHB 1140)	Operating budget	Making 2023-2025 fiscal biennium operating appropriations and 2021-2023 fiscal biennium second supplemental operating appropriations.	H Passed 3rd	Rolfes
SB 5188 (HB 1141)	Operating budget, supp.	Making 2021-2023 fiscal biennium second supplemental operating appropriations.	S Ways & Means	Rolfes
SSB 5201 (SHB 1148)	State gen. obligation bonds	Concerning state general obligation bonds and related accounts.	S 2nd Reading	Mullet
SB 5312	Clean energy/residential	Creating a residential property assessed clean energy and resiliency program.	S Loc Gov, Land	Lovelett

SSB 5322 (ESHB 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 (E2SHB 1216)	Clean energy siting	Concerning clean energy siting.	S Ways & Means	Nguyen
ESSB 5447 (HB 1505)	Alternative jet fuel	Promoting the alternative jet fuel industry in Washington.	H Rules R	Billig
SSB 5562 (ESHB 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