

# Fact Sheet

## CBPS 009

**Published Date:** 9/13/2022

**Subject:** Expanding the Clean Buildings Law

**Intended Audience:** Building owner, Authorized Representative, and General Public

## Purpose

This document provides general information regarding the expansion of the Clean Buildings bill.

## Reference

[Senate Bill 5722](#)

## Background

Energy-efficient buildings are essential for meeting our state's climate goals. Residential and commercial buildings are the second-largest source of greenhouse gas emissions in Washington, accounting for 27% of statewide emissions.

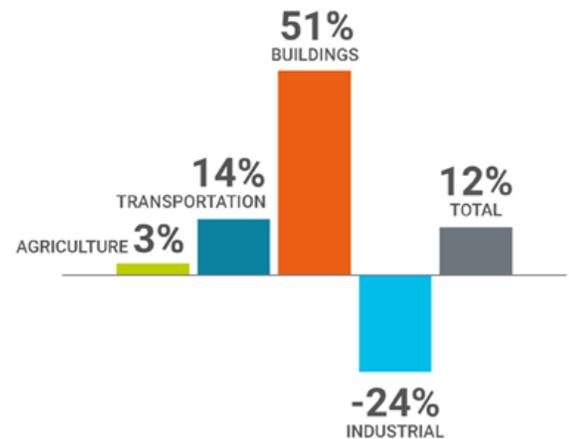
To meaningfully reduce building emissions, we need stronger energy use standards. The 2019 Clean Buildings Act created an energy performance standards for commercial buildings larger than 50,000 square feet. Mandatory compliance for Tier 1 begins on June 1, 2026.

## Guidance

The first phase of this expansion will require reporting on benchmarking, energy management plans and operations and maintenance programs for Tier 2 buildings. Benchmarking is the process of measuring and tracking energy use in a building over time. Tier 2 buildings are not expected to pursue a performance metric such as meeting Energy Use Intensity Target or investment criteria.

Compliance and reporting for Tier 2 must be submitted by July 1, 2027.

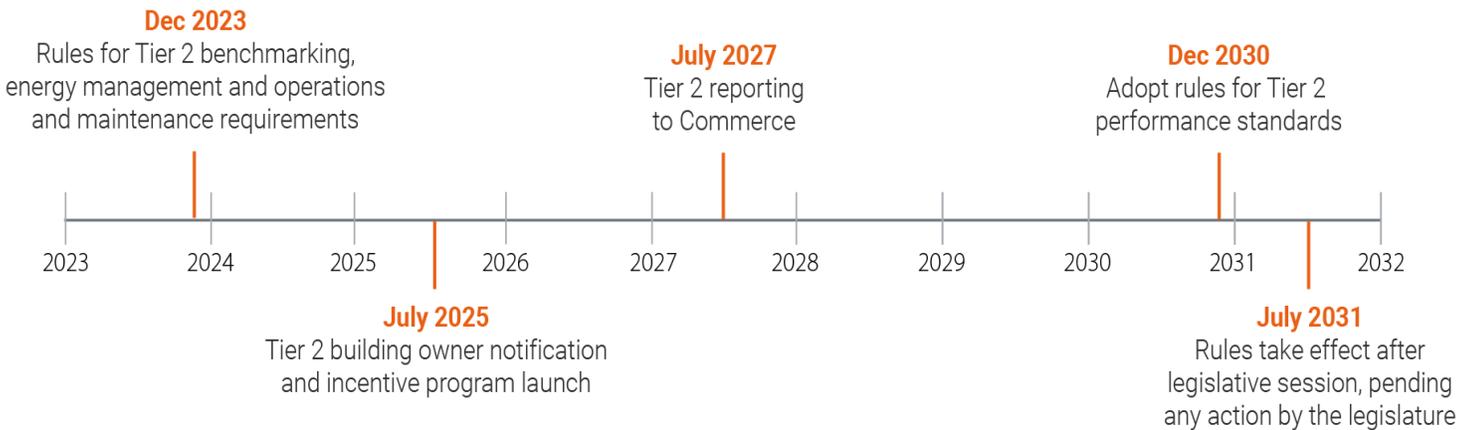
As Washington's population has grown, greenhouse gas emissions from buildings jumped significantly from 1990-2015



Tier 1 buildings	Tier 2 buildings
Buildings greater than 50,000 square feet	Buildings 20,000 to 50,000 square feet
Must comply with the <a href="#">Clean Buildings Performance Standard</a>	Benchmarking, EMP and O&M program <b>required</b>
Mandatory compliance begins in 2026 for buildings over 220,000 square feet	Mandatory reporting July 1, 2027
Rules are established and can be found in <a href="#">WAC 194-50</a>	Rules will be complete by Dec 2023
Does not include multifamily residential buildings	Includes multifamily residential buildings greater than 20,000 square feet

### Opportunities for stakeholder input on rules to come

The new law requires Commerce to complete rulemaking for Tier 2 by Dec. 1, 2023. We look forward to hearing from you during upcoming stakeholder engagement sessions. Meetings will be announced through our Clean Buildings Bulletins and on the [Clean Buildings web page](#).



### Building Owner Notification

By July 1, 2025, Commerce must notify owners of Tier 2 covered buildings about the updated requirements. Commerce will be using multiple methods to identify all possible covered buildings, which may take until 2025 to accomplish. Once we have completed the identification process, we will notify building owners by letter.

Letters will include instructions on how to access our Clean Buildings Portal. The portal is currently only set up for Tier 1 buildings. Please wait until Commerce has finished preparing the portal for Tier 2 buildings prior to submitting inquiries regarding the portal for Tier 2 buildings.

### **Assistance for building owners**

Commerce provided assistance to owners of Tier 1 through technical support and through the Early Adopter Incentive Program, a \$75 million incentive fund to encourage early compliance with the standard. The [new legislation](#) adds an additional \$150 million in financial incentives, and extends support for buildings in Tier 2. The incentive program will prioritize overburdened communities and low-income populations living in multifamily buildings who experience disproportionate environmental harms.

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