

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5106**

66th Legislature  
2019 Regular Session

Passed by the Senate April 22, 2019  
Yeas 48 Nays 0

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**President of the Senate**

Passed by the House April 12, 2019  
Yeas 95 Nays 0

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5106** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5106**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2019 Regular Session

**State of Washington                      66th Legislature                      2019 Regular Session**

**By** Senate Financial Institutions, Economic Development & Trade  
(originally sponsored by Senators Das, Mullet, Frockt, Keiser,  
Zeiger, and Kuderer; by request of Insurance Commissioner)

READ FIRST TIME 01/21/19.

1            AN ACT Relating to the creation of a work group to study and make  
2        recommendations on natural disaster mitigation and resiliency  
3        activities; adding a new section to chapter 48.02 RCW; and creating  
4        new sections.

5        BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6            NEW SECTION.    **Sec. 1.**    The legislature finds that residents of  
7        this state have been impacted by natural disasters such as floods,  
8        landslides, wildfires, and earthquakes and continue to be at risk  
9        from these and other natural disasters. In 2016, insured losses from  
10       natural disasters in the United States totaled almost twenty-four  
11       billion dollars. In 2015, Washington state had the largest wildfire  
12       season in state history, with more than one million acres burned and  
13       costing more than two hundred fifty-three million dollars. In 2017,  
14       four hundred four thousand two hundred twenty-three acres burned in  
15       Washington state and there were more than four hundred thirty  
16       national flood insurance program claims filed, totaling over seven  
17       million dollars.

18        The legislature finds that Washington state has the second  
19        highest earthquake risk in the nation, estimated by the federal  
20        emergency management agency to exceed four hundred thirty-eight  
21        million dollars per year. The 2001 Nisqually earthquake caused more

1 than two billion dollars in damage. A Seattle fault earthquake will  
2 cause an estimated thirty-three billion dollars in damage, and a  
3 Cascadia subduction zone earthquake will cause an estimated amount of  
4 over forty-nine billion dollars in damage.

5 The legislature finds that it is critical to better prepare this  
6 state for disasters and to put in place strategies to mitigate the  
7 impacts of disasters. To address this critical need, the legislature  
8 is creating a work group to review disaster mitigation and  
9 preparation projects in this state and other states, make  
10 recommendations regarding how to coordinate and expand state efforts  
11 to mitigate the impacts of natural disasters, and evaluate whether an  
12 ongoing disaster resiliency program should be created.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 48.02  
14 RCW to read as follows:

15 (1) A work group to study and make recommendations on natural  
16 disaster and resiliency activities is hereby created. The work group  
17 membership shall be composed of:

18 (a) The insurance commissioner or his or her designee, who shall  
19 serve as the chair of the work group;

20 (b) One member from each of the two largest caucuses of the house  
21 of representatives, appointed by the speaker of the house of  
22 representatives;

23 (c) One member from each of the two largest caucuses of the  
24 senate, appointed by the president of the senate;

25 (d) A representative from the governor's resilient Washington  
26 work group;

27 (e) A representative from the Washington state association of  
28 counties;

29 (f) A representative from the association of Washington cities;

30 (g) A representative from the state building code council;

31 (h) The commissioner of the department of natural resources or  
32 his or her designee;

33 (i) The director of the Washington state military department or  
34 his or her designee;

35 (j) The superintendent of public instruction or his or her  
36 designee;

37 (k) The secretary of the state department of transportation or  
38 his or her designee;

1           (l) The director of the department of ecology or his or her  
2     designee;

3           (m) The director of the department of commerce or his or her  
4     designee;

5           (n) A representative from the Washington association of building  
6     officials;

7           (o) A representative from the building industry association of  
8     Washington;

9           (p) Two representatives from the property and casualty insurance  
10    industry, to be selected by the insurance commissioner or his or her  
11    designee, through an application process;

12          (q) A representative of emergency and transitional housing  
13    providers, to be appointed by the office of the insurance  
14    commissioner;

15          (r) A representative from public utility districts to be selected  
16    by a state association of public utility districts;

17          (s) A representative of water and sewer districts to be selected  
18    by a state association of water and sewer districts;

19          (t) A representative selected by the Washington state commission  
20    on African-American affairs, the Washington state commission on  
21    Hispanic affairs, the governor's office of Indian affairs, and the  
22    Washington state commission on Asian Pacific American affairs to  
23    represent the entities on the work group;

24          (u) A representative from the state department of agriculture;

25          (v) A representative from the state conservation commission as  
26    defined in RCW 89.08.030;

27          (w) A representative of a federally recognized Indian tribe with  
28    a reservation located east of the crest of the Cascade mountains, to  
29    be appointed by the governor;

30          (x) A representative of a federally recognized Indian tribe with  
31    a reservation located west of the crest of the Cascade mountains, to  
32    be appointed by the governor; and

33          (y) Other state agency representatives or stakeholder group  
34    representatives, at the discretion of the work group, for the purpose  
35    of participating in specific topic discussions or subcommittees.

36          (2) The work group shall engage in the following activities:

37          (a) Review disaster mitigation and resiliency activities being  
38    done in this state by public and private entities;

39          (b) Review disaster mitigation and resiliency activities being  
40    done in other states and at the federal level;

1 (c) Review information on uptake in this state for disaster  
2 related insurance, such as flood and earthquake insurance;

3 (d) Review information on how other states are coordinating  
4 disaster mitigation and resiliency work including, but not limited  
5 to, the work of entities such as the California earthquake authority;

6 (e) Review how other states and the federal government fund their  
7 disaster mitigation and resiliency activities and programs; and

8 (f) Make recommendations to the legislature and office of the  
9 insurance commissioner regarding:

10 (i) Whether this state should create an ongoing disaster  
11 resiliency program;

12 (ii) What activities the program should engage in;

13 (iii) How the program should coordinate with state agencies and  
14 other entities engaged in disaster mitigation and resiliency work;

15 (iv) Where the program should be housed; and

16 (v) How the program should be funded.

17 (3) The work group shall submit, in compliance with RCW  
18 43.01.036, a preliminary report of recommendations to the  
19 legislature, the office of the insurance commissioner, the governor,  
20 the office of the superintendent of public instruction, and the  
21 commissioner of public lands by November 1, 2019, and a final report  
22 by December 1, 2020.

23 NEW SECTION. **Sec. 3.** If specific funding for the purposes of  
24 this act, referencing this act by bill or chapter number, is not  
25 provided by June 30, 2019, in the omnibus appropriations act, this  
26 act is null and void.

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