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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: S-1515.1/15

ATTY/TYPIST: AL:akl

BRIEF DESCRIPTION: Creating the office of homeless youth prevention programs.

1 AN ACT Relating to creating the office of homeless youth  
2 prevention programs in the department of social and health services;  
3 amending RCW 13.32A.030, 74.13.032, 43.330.167, 26.44.020,  
4 43.185C.040, 43.185C.060, and 43.185C.240; adding new sections to  
5 chapter 13.32A RCW; recodifying RCW 43.330.167; and creating a new  
6 section.

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

8 NEW SECTION. **Sec. 1.** Legislative findings. (1) The legislature  
9 finds that every night thousands of homeless youth in Washington go  
10 to sleep without the safety, stability, and support of a family or a  
11 home. These youth are exposed to an increased level of violence,  
12 human trafficking, and exploitation resulting in a higher incidence  
13 of substance abuse, illness, and death. Prevention of youth  
14 homelessness and protection of youth who are homeless is of key  
15 concern to the state.

16 (2) Successfully addressing youth homelessness ensures that  
17 homeless youth in our state have the support they need to thrive and  
18 avoid justice system involvement, trafficking, long-term, avoidable  
19 use of public benefits, and extended adult homelessness.

20 (3) Providing appropriate, relevant, and readily accessible  
21 services is critical for addressing one-time, episodic, or longer-

1 term homelessness among youth, and keeping youth safe, housed, and  
2 connected to family.

3 (4) To successfully reduce and prevent youth homelessness, it is  
4 the goal of the legislature to provide a safe and healthy place for  
5 homeless youth to sleep each night while family reconciliation  
6 occurs. Furthermore, every family in crisis should have appropriate  
7 support as they work to keep their children housed and safe. It is  
8 the goal of the legislature that every homeless youth discharged from  
9 a public system of care in our state must not be discharged into  
10 homelessness.

11 (5) It is the goal of the legislature that the office of homeless  
12 youth prevention programs house all homeless youth in Washington  
13 state within one year.

14 (6) In order to reunify homeless youth with their families, the  
15 legislature intends that it be the responsibility of mandatory  
16 reporters to report homeless youth to law enforcement or the  
17 department of social and health services.

18 (7) Furthermore, it is the goal of the legislature that all the  
19 citizens of the state work together to eliminate youth homelessness  
20 and increase family reunification.

21 NEW SECTION. **Sec. 2.** Creation of office of homeless youth  
22 prevention programs. (1) There is created the office of homeless  
23 youth prevention programs within the department.

24 (2) Activities of the office of homeless youth prevention  
25 programs must be carried out by a director of the office of homeless  
26 youth prevention programs, supervised by the secretary of the  
27 department or his or her designee.

28 (3) The goals of the office of homeless youth prevention programs  
29 are: (a) To reduce the number of new homeless youth, (b) to decrease  
30 the number of existing homeless youth, and (c) to measurably increase  
31 reconciliation with the homeless youth's parents or guardians.

32 (4) The office of homeless youth prevention programs is  
33 responsible for leading efforts under this subchapter to coordinate a  
34 spectrum of ongoing and future funding, policy, and practice efforts  
35 related to the goals of the office, while also ensuring the safety,  
36 health, and welfare of homeless youth in this state.

37 (5) The office of homeless youth prevention programs shall (a)  
38 gather data and outcome measures, including developing a  
39 comprehensive plan for unaccompanied homeless youth, similar to the

1 plan required for homeless families under RCW 43.63A.650, (b)  
2 initiate data sharing agreements, (c) develop specific  
3 recommendations and timelines to address funding, policy, and  
4 practice gaps within the state system for addressing stable  
5 transitional housing for homeless youth and preventing youth  
6 homelessness, (d) make reports, and (e) increase system integration  
7 and coordinate efforts to prevent state systems from discharging  
8 youth into homelessness.

9 (6) The office of homeless youth prevention programs shall  
10 regularly consult with an advisory committee composed of legislators,  
11 advocates, service providers, and other stakeholders knowledgeable in  
12 the provision of services to homeless youth, including those  
13 knowledgeable in the prevention of youth homelessness and family  
14 reunification. The advisory committee shall provide guidance and  
15 recommendations to the office of homeless youth prevention programs  
16 regarding funding, policy, and practice gaps within and among state  
17 programs.

18 (a) The members of the advisory committee must be appointed by  
19 the governor.

20 (b) The advisory committee must be staffed by the department.

21 (c) The advisory committee must have its initial meeting no later  
22 than March 1, 2016.

23 (7) The office of homeless youth prevention programs must be  
24 operational no later than January 1, 2016. Homeless youth services  
25 and programs identified in section 4(2) of this act may occur before  
26 this date.

27 NEW SECTION. **Sec. 3.** Reporting and data gathering. (1) The  
28 office of homeless youth prevention programs shall identify data and  
29 outcome measures from which to evaluate future public investment in  
30 services needed to reduce the number of new homeless youth and to  
31 increase family reconciliation or transition to dependent status.

32 (2) Beginning March 1, 2016, and quarterly thereafter, the office  
33 of homeless youth prevention programs shall report to the legislature  
34 on the status of the goals of reducing new youth homelessness,  
35 decreasing youth homelessness, and increasing family reconciliation  
36 rates.

37 (3) By December 1, 2016, the office of homeless youth prevention  
38 programs must submit a report to the governor and legislature to  
39 provide recommendations for funding, policy, and practice gaps in the

1 state system and identify best practices in preventing homelessness  
2 among youth and reconciling homeless youth with their families. If  
3 the homeless youth rate is not zero, the report is to include  
4 recommendations for policies and funding that will help the state  
5 reach the goal of eliminating youth homelessness.

6 NEW SECTION. **Sec. 4.** Authorization for administration of  
7 services and funding through the office of homeless youth prevention  
8 programs. (1)(a) The office of homeless youth prevention programs  
9 shall report to the secretary or the secretary's designee.

10 (b)(i) The office of homeless youth prevention programs may  
11 distribute grants to providers who house homeless youth in  
12 transitional shelters throughout the state.

13 (ii) The grants must fund services that prevent youth  
14 homelessness, provide short-term transitional housing for homeless  
15 youth, and emphasize family reconciliation.

16 (iii) The grants must be expended on a statewide basis and may be  
17 used to support direct services, as well as technical assistance,  
18 evaluation, and capacity building.

19 (2) The office of homeless youth prevention programs shall  
20 provide management and oversight guidance and direction to the  
21 following programs:

22 (a) HOPE centers as described in RCW 74.15.220;

23 (b) Crisis residential centers as described in RCW 74.13.032;

24 (c) Street youth services.

25 NEW SECTION. **Sec. 5.** The joint legislative audit and review  
26 committee shall conduct a review of state-funded programs that serve  
27 unaccompanied homeless youth to determine what performance measures  
28 exist, what statutory reporting requirements exist, and whether there  
29 is reliable data on ages of youth served, length of stay, and program  
30 exit and reentry. Where statutory reporting requirements do exist,  
31 the joint legislative audit and review committee shall review the  
32 programs' compliance with relevant statutory reporting requirements.  
33 The programs reviewed may include, but are not limited to, HOPE  
34 centers as described in RCW 74.15.220 and crisis residential centers  
35 as described in RCW 74.13.032.

36 NEW SECTION. **Sec. 6.** A Washington state homeless youth alert  
37 database must be established identifying all homeless youth in order

1 to assist the public in identifying homeless youth and notifying law  
2 enforcement and child protective services to provide emergency  
3 shelter to the homeless youth and to contact the youth's parents or  
4 legal guardian.

5 **Sec. 7.** RCW 13.32A.030 and 2013 c 4 s 1 are each amended to read  
6 as follows:

7 As used in this chapter the following terms have the meanings  
8 indicated unless the context clearly requires otherwise:

9 (1) "Abuse or neglect" means the injury, sexual abuse, sexual  
10 exploitation, negligent treatment, or maltreatment of a child by any  
11 person under circumstances that indicate the child's health, welfare,  
12 and safety is harmed, excluding conduct permitted under RCW  
13 9A.16.100. An abused child is a child who has been subjected to child  
14 abuse or neglect as defined in this section.

15 (2) "Administrator" means the individual who has the daily  
16 administrative responsibility of a crisis residential center, or his  
17 or her designee.

18 (3) "At-risk youth" means a juvenile:

19 (a) Who is absent from home for at least seventy-two consecutive  
20 hours without consent of his or her parent;

21 (b) Who is beyond the control of his or her parent such that the  
22 child's behavior endangers the health, safety, or welfare of the  
23 child or any other person; or

24 (c) Who has a substance abuse problem for which there are no  
25 pending criminal charges related to the substance abuse.

26 (4) "Child," "juvenile," "youth," and "minor" mean any  
27 unemancipated individual who is under the chronological age of  
28 eighteen years.

29 (5) "Child in need of services" means a juvenile:

30 (a) Who is beyond the control of his or her parent such that the  
31 child's behavior endangers the health, safety, or welfare of the  
32 child or any other person;

33 (b) Who has been reported to law enforcement as absent without  
34 consent for at least twenty-four consecutive hours on two or more  
35 separate occasions from the home of either parent, a crisis  
36 residential center, an out-of-home placement, or a court-ordered  
37 placement; and

38 (i) Has exhibited a serious substance abuse problem; or

1 (ii) Has exhibited behaviors that create a serious risk of harm  
2 to the health, safety, or welfare of the child or any other person;

3 (c)(i) Who is in need of: (A) Necessary services, including food,  
4 shelter, health care, clothing, or education; or (B) services  
5 designed to maintain or reunite the family;

6 (ii) Who lacks access to, or has declined to use, these services;  
7 and

8 (iii) Whose parents have evidenced continuing but unsuccessful  
9 efforts to maintain the family structure or are unable or unwilling  
10 to continue efforts to maintain the family structure; or

11 (d) Who is a "sexually exploited child."

12 (6) "Child in need of services petition" means a petition filed  
13 in juvenile court by a parent, child, or the department seeking  
14 adjudication of placement of the child.

15 (7) "Crisis residential center" means a secure or semi-secure  
16 facility established pursuant to chapter 74.13 RCW.

17 (8) "Custodian" means the person or entity that has the legal  
18 right to custody of the child.

19 (9) "Department" means the department of social and health  
20 services.

21 (10) "Extended family member" means an adult who is a  
22 grandparent, brother, sister, stepbrother, stepsister, uncle, aunt,  
23 or first cousin with whom the child has a relationship and is  
24 comfortable, and who is willing and available to care for the child.

25 (11) "Guardian" means the person or agency that (a) has been  
26 appointed as the guardian of a child in a legal proceeding other than  
27 a proceeding under chapter 13.34 RCW, and (b) has the legal right to  
28 custody of the child pursuant to such appointment. The term  
29 "guardian" does not include a "dependency guardian" appointed  
30 pursuant to a proceeding under chapter 13.34 RCW.

31 (12) "Multidisciplinary team" means a group formed to provide  
32 assistance and support to a child who is an at-risk youth or a child  
33 in need of services and his or her parent. The team must include the  
34 parent, a department caseworker, a local government representative  
35 when authorized by the local government, and when appropriate,  
36 members from the mental health and substance abuse disciplines. The  
37 team may also include, but is not limited to, the following persons:  
38 Educators, law enforcement personnel, probation officers, employers,  
39 church persons, tribal members, therapists, medical personnel, social  
40 service providers, placement providers, and extended family members.

1 The team members must be volunteers who do not receive compensation  
2 while acting in a capacity as a team member, unless the member's  
3 employer chooses to provide compensation or the member is a state  
4 employee.

5 (13) "Out-of-home placement" means a placement in a foster family  
6 home or group care facility licensed pursuant to chapter 74.15 RCW or  
7 placement in a home, other than that of the child's parent, guardian,  
8 or legal custodian, not required to be licensed pursuant to chapter  
9 74.15 RCW.

10 (14) "Parent" means the parent or parents who have the legal  
11 right to custody of the child. "Parent" includes custodian or  
12 guardian.

13 (15) "Secure facility" means a crisis residential center, or  
14 portion thereof, that has locking doors, locking windows, or a  
15 secured perimeter, designed and operated to prevent a child from  
16 leaving without permission of the facility staff.

17 (16) "Semi-secure facility" means any facility, including but not  
18 limited to crisis residential centers or specialized foster family  
19 homes, operated in a manner to reasonably assure that youth placed  
20 there will not run away. Pursuant to rules established by the  
21 department, the facility administrator shall establish reasonable  
22 hours for residents to come and go from the facility such that no  
23 residents are free to come and go at all hours of the day and night.  
24 To prevent residents from taking unreasonable actions, the facility  
25 administrator, where appropriate, may condition a resident's leaving  
26 the facility upon the resident being accompanied by the administrator  
27 or the administrator's designee and the resident may be required to  
28 notify the administrator or the administrator's designee of any  
29 intent to leave, his or her intended destination, and the probable  
30 time of his or her return to the center.

31 (17) "Sexually exploited child" means any person under the age of  
32 eighteen who is a victim of the crime of commercial sex abuse of a  
33 minor under RCW 9.68A.100, promoting commercial sexual abuse of a  
34 minor under RCW 9.68A.101, or promoting travel for commercial sexual  
35 abuse of a minor under RCW 9.68A.102.

36 (18) "Staff secure facility" means a structured group care  
37 facility licensed under rules adopted by the department with a ratio  
38 of at least one adult staff member to every two children.

1 (19) "Temporary out-of-home placement" means an out-of-home  
2 placement of not more than fourteen days ordered by the court at a  
3 fact-finding hearing on a child in need of services petition.

4 (20) "Homeless" means without a fixed, regular, and adequate  
5 nighttime residence as set forth in the federal McKinney-Vento  
6 homeless assistance act, P.L. 100-77, July 22, 1987, 101 Stat. 482,  
7 and runaway and homeless youth act, P.L. 93-415, Title III, September  
8 7, 1974, 88 Stat. 1129.

9 (21) "Homeless youth" means both youth actively experiencing  
10 homelessness as well as those youth at risk of homelessness.

11 (22) "Runaway" means an unmarried and unemancipated minor who is  
12 absent from the home of a parent or guardian or other lawful  
13 placement without the consent of the parent, guardian, or lawful  
14 custodian.

15 (23) "Transitional housing" and "short-term transitional housing"  
16 means temporary housing that is limited to thirty days unless  
17 otherwise approved by the court.

18 **Sec. 8.** RCW 74.13.032 and 2011 c 240 s 1 are each amended to  
19 read as follows:

20 (1) The department shall establish, through performance-based  
21 contracts with private or public vendors, regional crisis residential  
22 centers with semi-secure facilities. These facilities shall be  
23 structured group care facilities licensed under rules adopted by the  
24 department and shall have an average of at least four adult staff  
25 members and in no event less than three adult staff members to every  
26 eight children.

27 (2) Crisis residential centers must record client information  
28 into a homeless management information system specified by the  
29 department.

30 (3) Within available funds appropriated for this purpose, the  
31 department shall establish, through performance-based contracts with  
32 private or public vendors, regional crisis residential centers with  
33 secure facilities. These facilities shall be facilities licensed  
34 under rules adopted by the department. These centers may also include  
35 semi-secure facilities and to such extent shall be subject to  
36 subsection (1) of this section.

37 ~~((3))~~ (4) The department shall, in addition to the facilities  
38 established under subsections (1) and ~~((2))~~ (3) of this section,  
39 establish additional crisis residential centers pursuant to

1 performance-based contracts with licensed private group care  
2 facilities.

3 ((+4)) (5) The department is authorized to allow contracting  
4 entities to include a combination of secure or semi-secure crisis  
5 residential centers as defined in RCW 13.32A.030 and/or HOPE centers  
6 pursuant to RCW 74.15.220 in the same building or structure. The  
7 department shall permit the colocation of these centers only if the  
8 entity operating the facility agrees to designate a particular number  
9 of beds to each type of center that is located within the building or  
10 structure.

11 ((+5)) (6) The staff at the facilities established under this  
12 section shall be trained so that they may effectively counsel  
13 juveniles admitted to the centers, provide treatment, supervision,  
14 and structure to the juveniles that recognize the need for support  
15 and the varying circumstances that cause children to leave their  
16 families, and carry out the responsibilities stated in RCW  
17 13.32A.090. The responsibilities stated in RCW 13.32A.090 may, in any  
18 of the centers, be carried out by the department.

19 ((+6)) (7) The secure facilities located within crisis  
20 residential centers shall be operated to conform with the definition  
21 in RCW 13.32A.030. The facilities shall have an average of no less  
22 than one adult staff member to every ten children. The staffing ratio  
23 shall continue to ensure the safety of the children.

24 ((+7)) (8) If a secure crisis residential center is located in  
25 or adjacent to a secure juvenile detention facility, the center shall  
26 be operated in a manner that prevents in-person contact between the  
27 residents of the center and the persons held in such facility.

28 **Sec. 9.** RCW 43.330.167 and 2009 c 565 s 9 are each amended to  
29 read as follows:

30 (1)(a) There is created in the custody of the state treasurer an  
31 account to be known as the ((homeless)) Washington youth and families  
32 ((services)) fund. Revenues to the fund consist of ((a one-time))  
33 appropriations by the legislature, private contributions, and all  
34 other sources deposited in the fund.

35 (b) Expenditures from the fund may only be used for the purposes  
36 of the program established in this section, including administrative  
37 expenses. Only the ((director)) secretary of the department ((of  
38 commerce)), or the ((director's)) secretary's designee, may authorize  
39 expenditures.

1 (c) Expenditures from the fund are exempt from appropriations and  
2 the allotment provisions of chapter 43.88 RCW. However, money used  
3 for program administration by the department is subject to the  
4 allotment and budgetary controls of chapter 43.88 RCW, and an  
5 appropriation is required for these expenditures.

6 (2) The department may expend moneys from the fund to provide  
7 state matching funds for housing-based supportive services for  
8 homeless youth and families over a period of (~~at least~~) up to ten  
9 years.

10 (3) Activities eligible for funding through the fund include, but  
11 are not limited to, the following:

12 (a) Case management;

13 (b) Counseling;

14 (c) Referrals to employment support and job training services and  
15 direct employment support and job training services;

16 (d) Domestic violence services and programs;

17 (e) Mental health treatment, services, and programs;

18 (f) Substance abuse treatment, services, and programs;

19 (g) Parenting skills education and training;

20 (h) Transportation assistance;

21 (i) Child care; and

22 (j) Other supportive services identified by the department to be  
23 an important link for housing stability.

24 (4) Organizations that may receive funds from the fund include  
25 local housing authorities, nonprofit community or neighborhood-based  
26 organizations, public development authorities, federally recognized  
27 Indian tribes in the state, and regional or statewide nonprofit  
28 housing assistance organizations.

29 **Sec. 10.** RCW 26.44.020 and 2012 c 259 s 1 are each amended to  
30 read as follows:

31 The definitions in this section apply throughout this chapter  
32 unless the context clearly requires otherwise.

33 (1) "Abuse or neglect" means sexual abuse, sexual exploitation,  
34 or injury of a child by any person under circumstances which cause  
35 harm to the child's health, welfare, or safety, excluding conduct  
36 permitted under RCW 9A.16.100; or the negligent treatment or  
37 maltreatment of a child by a person responsible for or providing care  
38 to the child. A neglected child includes an unaccompanied homeless  
39 youth because of the harm to the youth's health, welfare, and safety.

1 An abused child is a child who has been subjected to child abuse or  
2 neglect as defined in this section.

3 (2) "Child" or "children" means any person under the age of  
4 eighteen years of age.

5 (3) "Child protective services" means those services provided by  
6 the department designed to protect children from child abuse and  
7 neglect and safeguard such children from future abuse and neglect,  
8 and conduct investigations of child abuse and neglect reports.  
9 Investigations may be conducted regardless of the location of the  
10 alleged abuse or neglect. Child protective services includes referral  
11 to services to ameliorate conditions that endanger the welfare of  
12 children, the coordination of necessary programs and services  
13 relevant to the prevention, intervention, and treatment of child  
14 abuse and neglect, and services to children to ensure that each child  
15 has a permanent home. In determining whether protective services  
16 should be provided, the department shall not decline to provide such  
17 services solely because of the child's unwillingness or developmental  
18 inability to describe the nature and severity of the abuse or  
19 neglect.

20 (4) "Child protective services section" means the child  
21 protective services section of the department.

22 (5) "Children's advocacy center" means a child-focused facility  
23 in good standing with the state chapter for children's advocacy  
24 centers and that coordinates a multidisciplinary process for the  
25 investigation, prosecution, and treatment of sexual and other types  
26 of child abuse. Children's advocacy centers provide a location for  
27 forensic interviews and coordinate access to services such as, but  
28 not limited to, medical evaluations, advocacy, therapy, and case  
29 review by multidisciplinary teams within the context of county  
30 protocols as defined in RCW 26.44.180 and 26.44.185.

31 (6) "Clergy" means any regularly licensed or ordained minister,  
32 priest, or rabbi of any church or religious denomination, whether  
33 acting in an individual capacity or as an employee or agent of any  
34 public or private organization or institution.

35 (7) "Court" means the superior court of the state of Washington,  
36 juvenile department.

37 (8) "Department" means the state department of social and health  
38 services.

39 (9) "Family assessment" means a comprehensive assessment of child  
40 safety, risk of subsequent child abuse or neglect, and family

1 strengths and needs that is applied to a child abuse or neglect  
2 report. Family assessment does not include a determination as to  
3 whether child abuse or neglect occurred, but does determine the need  
4 for services to address the safety of the child and the risk of  
5 subsequent maltreatment.

6 (10) "Family assessment response" means a way of responding to  
7 certain reports of child abuse or neglect made under this chapter  
8 using a differential response approach to child protective services.  
9 The family assessment response shall focus on the safety of the  
10 child, the integrity and preservation of the family, and shall assess  
11 the status of the child and the family in terms of risk of abuse and  
12 neglect including the parent's or guardian's or other caretaker's  
13 capacity and willingness to protect the child and, if necessary, plan  
14 and arrange the provision of services to reduce the risk and  
15 otherwise support the family. No one is named as a perpetrator, and  
16 no investigative finding is entered in the record as a result of a  
17 family assessment.

18 (11) "Founded" means the determination following an investigation  
19 by the department that, based on available information, it is more  
20 likely than not that child abuse or neglect did occur.

21 (12) "Inconclusive" means the determination following an  
22 investigation by the department, prior to October 1, 2008, that based  
23 on available information a decision cannot be made that more likely  
24 than not, child abuse or neglect did or did not occur.

25 (13) "Institution" means a private or public hospital or any  
26 other facility providing medical diagnosis, treatment, or care.

27 (14) "Law enforcement agency" means the police department, the  
28 prosecuting attorney, the state patrol, the director of public  
29 safety, or the office of the sheriff.

30 (15) "Malice" or "maliciously" means an intent, wish, or design  
31 to intimidate, annoy, or injure another person. Such malice may be  
32 inferred from an act done in willful disregard of the rights of  
33 another, or an act wrongfully done without just cause or excuse, or  
34 an act or omission of duty betraying a willful disregard of social  
35 duty.

36 (16) "Negligent treatment or maltreatment" means an act or a  
37 failure to act, or the cumulative effects of a pattern of conduct,  
38 behavior, or inaction, that evidences a serious disregard of  
39 consequences of such magnitude as to constitute a clear and present  
40 danger to a child's health, welfare, or safety, including but not

1 limited to conduct prohibited under RCW 9A.42.100. When considering  
2 whether a clear and present danger exists, evidence of a parent's  
3 substance abuse as a contributing factor to negligent treatment or  
4 maltreatment shall be given great weight. The fact that siblings  
5 share a bedroom is not, in and of itself, negligent treatment or  
6 maltreatment. Poverty, homelessness, or exposure to domestic violence  
7 as defined in RCW 26.50.010 that is perpetrated against someone other  
8 than the child does not constitute negligent treatment or  
9 maltreatment in and of itself.

10 (17) "Pharmacist" means any registered pharmacist under chapter  
11 18.64 RCW, whether acting in an individual capacity or as an employee  
12 or agent of any public or private organization or institution.

13 (18) "Practitioner of the healing arts" or "practitioner" means a  
14 person licensed by this state to practice podiatric medicine and  
15 surgery, optometry, chiropractic, nursing, dentistry, osteopathic  
16 medicine and surgery, or medicine and surgery or to provide other  
17 health services. The term "practitioner" includes a duly accredited  
18 Christian Science practitioner. A person who is being furnished  
19 Christian Science treatment by a duly accredited Christian Science  
20 practitioner will not be considered, for that reason alone, a  
21 neglected person for the purposes of this chapter.

22 (19) "Professional school personnel" include, but are not limited  
23 to, teachers, counselors, administrators, child care facility  
24 personnel, and school nurses.

25 (20) "Psychologist" means any person licensed to practice  
26 psychology under chapter 18.83 RCW, whether acting in an individual  
27 capacity or as an employee or agent of any public or private  
28 organization or institution.

29 (21) "Screened-out report" means a report of alleged child abuse  
30 or neglect that the department has determined does not rise to the  
31 level of a credible report of abuse or neglect and is not referred  
32 for investigation.

33 (22) "Sexual exploitation" includes: (a) Allowing, permitting, or  
34 encouraging a child to engage in prostitution by any person; or (b)  
35 allowing, permitting, encouraging, or engaging in the obscene or  
36 pornographic photographing, filming, or depicting of a child by any  
37 person.

38 (23) "Sexually aggressive youth" means a child who is defined in  
39 RCW 74.13.075(1)(b) as being a sexually aggressive youth.

1 (24) "Social service counselor" means anyone engaged in a  
2 professional capacity during the regular course of employment in  
3 encouraging or promoting the health, welfare, support, or education  
4 of children, or providing social services to adults or families,  
5 including mental health, drug and alcohol treatment, and domestic  
6 violence programs, whether in an individual capacity, or as an  
7 employee or agent of any public or private organization or  
8 institution.

9 (25) "Supervising agency" means an agency licensed by the state  
10 under RCW 74.15.090 or an Indian tribe under RCW 74.15.190 that has  
11 entered into a performance-based contract with the department to  
12 provide child welfare services.

13 (26) "Unfounded" means the determination following an  
14 investigation by the department that available information indicates  
15 that, more likely than not, child abuse or neglect did not occur, or  
16 that there is insufficient evidence for the department to determine  
17 whether the alleged child abuse did or did not occur.

18 (27) "Unaccompanied" means a youth, under the age of eighteen,  
19 experiencing homelessness while not in the physical custody of a  
20 parent or guardian.

21 (28) "Homeless" means without a fixed, regular, and adequate  
22 nighttime residence as set forth in the federal McKinney-Vento  
23 homeless assistance act, P.L. 100-77, July 22, 1987, 101 Stat. 482,  
24 and runaway and homeless youth act, P.L. 93-415, Title III, September  
25 7, 1974, 88 Stat. 1129.

26 (29) "Homeless youth" means both youth actively experiencing  
27 homelessness as well as those youth at risk of homelessness.

28 **Sec. 11.** RCW 43.185C.040 and 2009 c 518 s 17 are each amended to  
29 read as follows:

30 (1) Six months after the first Washington homeless census, the  
31 department shall, in consultation with the interagency council on  
32 homelessness and the affordable housing advisory board, prepare and  
33 publish a ten-year homeless housing strategic plan which shall  
34 outline statewide goals and performance measures and shall be  
35 coordinated with the plan for homeless families with children  
36 required under RCW 43.63A.650. To guide local governments in  
37 preparation of their first local homeless housing plans due December  
38 31, 2005, the department shall issue by October 15, 2005, temporary  
39 guidelines consistent with this chapter and including the best

1 available data on each community's homeless population. Local  
2 governments' ten-year homeless housing plans shall not be  
3 substantially inconsistent with the goals and program recommendations  
4 of the temporary guidelines and, when amended after 2005, the state  
5 strategic plan.

6 (2) Program outcomes and performance measures and goals shall be  
7 created by the department and reflected in the department's homeless  
8 housing strategic plan as well as interim goals against which state  
9 and local governments' performance may be measured, including:

10 (a) By the end of year one, completion of the first census as  
11 described in RCW 43.185C.030;

12 (b) By the end of each subsequent year, goals common to all local  
13 programs which are measurable and the achievement of which would move  
14 that community toward housing its homeless population; and

15 (c) By July 1, 2015, reduction of the homeless population  
16 statewide and in each county by fifty percent.

17 (3) The department shall develop a consistent statewide data  
18 gathering instrument to monitor the performance of cities and  
19 counties receiving grants in order to determine compliance with the  
20 terms and conditions set forth in the grant application or required  
21 by the department.

22 The department shall, in consultation with the interagency  
23 council on homelessness and the affordable housing advisory board,  
24 report biennially to the governor and the appropriate committees of  
25 the legislature an assessment of the state's performance in  
26 furthering the goals of the state ten-year homeless housing strategic  
27 plan and the performance of each participating local government in  
28 creating and executing a local homeless housing plan which meets the  
29 requirements of this chapter. The annual report may include  
30 performance measures such as:

31 (a) The reduction in the number of homeless individuals and  
32 families from the initial count of homeless persons;

33 (b) The reduction in the number of unaccompanied homeless youth.  
34 "Unaccompanied homeless youth" has the same meaning as homeless youth  
35 in RCW 13.32A.030;

36 (c) The number of new units available and affordable for homeless  
37 families by housing type;

38 ((+e)) (d) The number of homeless individuals identified who are  
39 not offered suitable housing within thirty days of their request or  
40 identification as homeless;

- 1       ~~((d))~~ (e) The number of households at risk of losing housing  
2 who maintain it due to a preventive intervention;
- 3       ~~((e))~~ (f) The transition time from homelessness to permanent  
4 housing;
- 5       ~~((f))~~ (g) The cost per person housed at each level of the  
6 housing continuum;
- 7       ~~((g))~~ (h) The ability to successfully collect data and report  
8 performance;
- 9       ~~((h))~~ (i) The extent of collaboration and coordination among  
10 public bodies, as well as community stakeholders, and the level of  
11 community support and participation;
- 12       ~~((i))~~ (j) The quality and safety of housing provided; and  
13       ~~((j))~~ (k) The effectiveness of outreach to homeless persons,  
14 and their satisfaction with the program.

15       (4) Based on the performance of local homeless housing programs  
16 in meeting their interim goals, on general population changes and on  
17 changes in the homeless population recorded in the annual census, the  
18 department may revise the performance measures and goals of the state  
19 homeless housing strategic plan, set goals for years following the  
20 initial ten-year period, and recommend changes in local governments'  
21 plans.

22       **Sec. 12.** RCW 43.185C.060 and 2014 c 200 s 2 are each amended to  
23 read as follows:

24       (1) The home security fund account is created in the state  
25 treasury, subject to appropriation. The state's portion of the  
26 surcharge established in RCW 36.22.179 and 36.22.1791 must be  
27 deposited in the account. Expenditures from the account may be used  
28 only for homeless housing programs as described in this chapter and  
29 for the office of homeless youth prevention programs created in  
30 section 2 of this act. If an independent audit finds that the  
31 department has failed to set aside at least forty-five percent of  
32 funds received under RCW 36.22.179(1)(b) after June 12, 2014, for the  
33 use of private rental housing payments, the department must submit a  
34 corrective action plan to the office of financial management within  
35 thirty days of receipt of the independent audit. The office of  
36 financial management must monitor the department's corrective action  
37 plan and expenditures from this account for the remainder of the  
38 fiscal year. If the department is not in compliance with RCW  
39 36.22.179(1)(b) in any month of the fiscal year following submission

1 of the corrective action plan, the office of financial management  
2 must reduce the department's allotments from this account and hold in  
3 reserve status a portion of the department's appropriation equal to  
4 the expenditures made during the month not in compliance with RCW  
5 36.22.179(1)(b).

6 (2) Home security fund account funds appropriated to carry out  
7 activities of the office of homeless youth prevention programs  
8 created in section 2 of this act are not subject to the set aside  
9 provisions under RCW 36.22.179(1)(b).

10 **Sec. 13.** RCW 43.185C.240 and 2014 c 200 s 3 are each amended to  
11 read as follows:

12 (1) As a means of efficiently and cost-effectively providing  
13 housing assistance to very-low income and homeless households:

14 (a) Any local government that has the authority to issue housing  
15 vouchers, directly or through a contractor, using document recording  
16 surcharge funds collected pursuant to RCW 36.22.178, 36.22.179, or  
17 36.22.1791 must:

18 (i)(A) Maintain an interested landlord list, which at a minimum,  
19 includes information on rental properties in buildings with fewer  
20 than fifty units;

21 (B) Update the list at least once per quarter;

22 (C) Distribute the list to agencies providing services to  
23 individuals and households receiving housing vouchers;

24 (D) Ensure that a copy of the list or information for accessing  
25 the list online is provided with voucher paperwork; and

26 (E) Communicate and interact with landlord and tenant  
27 associations located within its jurisdiction to facilitate  
28 development, maintenance, and distribution of the list to private  
29 rental housing landlords. The department must make reasonable efforts  
30 to ensure that local providers conduct outreach to private rental  
31 housing landlords each calendar quarter regarding opportunities to  
32 provide rental housing to the homeless and the availability of funds;

33 (ii) Using cost-effective methods of communication, convene, on a  
34 semiannual or more frequent basis, landlords represented on the  
35 interested landlord list and agencies providing services to  
36 individuals and households receiving housing vouchers to identify  
37 successes, barriers, and process improvements. The local government  
38 is not required to reimburse any participants for expenses related to  
39 attendance;

1 (iii) Produce data, limited to document recording fee uses and  
2 expenditures, on a calendar year basis in consultation with landlords  
3 represented on the interested landlord list and agencies providing  
4 services to individuals and households receiving housing vouchers,  
5 that include the following: Total amount expended from document  
6 recording fees; amount expended on, number of households that  
7 received, and number of housing vouchers issued in each of the  
8 private, public, and nonprofit markets; amount expended on, number of  
9 households that received, and number of housing placement payments  
10 provided in each of the private, public, and nonprofit markets;  
11 amount expended on and number of eviction prevention services  
12 provided in the private market; ~~((and))~~ amount expended on and number  
13 of other tenant-based rent assistance services provided in the  
14 private market; and amount expended on and number of services  
15 provided to unaccompanied homeless youth. If these data elements are  
16 not readily available, the reporting government may request the  
17 department to use the sampling methodology established pursuant to  
18 (c)(iii) of this subsection to obtain the data; and

19 (iv) Annually submit the calendar year data to the department by  
20 October 1st, with preliminary data submitted by October 1, 2012, and  
21 full calendar year data submitted beginning October 1, 2013.

22 (b) Any local government receiving more than three million five  
23 hundred thousand dollars during the previous calendar year from  
24 document recording surcharge funds collected pursuant to RCW  
25 36.22.178, 36.22.179, and 36.22.1791, must apply to the Washington  
26 state quality award program, or similar Baldrige assessment  
27 organization, for an independent assessment of its quality  
28 management, accountability, and performance system. The first  
29 assessment may be a lite assessment. After submitting an application,  
30 a local government is required to reapply at least every two years.

31 (c) The department must:

32 (i) Require contractors that provide housing vouchers to  
33 distribute the interested landlord list created by the appropriate  
34 local government to individuals and households receiving the housing  
35 vouchers;

36 (ii) Convene a stakeholder group by March 1, 2017, consisting of  
37 landlords, homeless housing advocates, real estate industry  
38 representatives, cities, counties, and the department to meet to  
39 discuss long-term funding strategies for homeless housing programs  
40 that do not include a surcharge on document recording fees. The

1 stakeholder group must provide a report of its findings to the  
2 legislature by December 1, 2017;

3 (iii) Develop a sampling methodology to obtain data required  
4 under this section when a local government or contractor does not  
5 have such information readily available. The process for developing  
6 the sampling methodology must include providing notification to and  
7 the opportunity for public comment by local governments issuing  
8 housing vouchers, landlord association representatives, and agencies  
9 providing services to individuals and households receiving housing  
10 vouchers;

11 (iv) Develop a report, limited to document recording fee uses and  
12 expenditures, on a calendar year basis that may include consultation  
13 with local governments, landlord association representatives, and  
14 agencies providing services to individuals and households receiving  
15 housing vouchers, that includes the following: Total amount expended  
16 from document recording fees; amount expended on, number of  
17 households that received, and number of housing vouchers issued in  
18 each of the private, public, and nonprofit markets; amount expended  
19 on, number of households that received, and number of housing  
20 placement payments provided in each of the private, public, and  
21 nonprofit markets; amount expended on and number of eviction  
22 prevention services provided in the private market; the total amount  
23 of funds set aside for private rental housing payments as required in  
24 RCW 36.22.179(1)(b); and amount expended on and number of other  
25 tenant-based rent assistance services provided in the private market.  
26 The information in the report must include data submitted by local  
27 governments and data on all additional document recording fee  
28 activities for which the department contracted that were not  
29 otherwise reported. The data, samples, and sampling methodology used  
30 to develop the report must be made available upon request and for the  
31 audits required in this section;

32 (v) Annually submit the calendar year report to the legislature  
33 by December 15th, with a preliminary report submitted by December 15,  
34 2012, and full calendar year reports submitted beginning December 15,  
35 2013; and

36 (vi) Work with the Washington state quality award program, local  
37 governments, and any other organizations to ensure the appropriate  
38 scheduling of assessments for all local governments meeting the  
39 criteria described in subsection (1)(b) of this section.

1 (d) The office of financial management must secure an independent  
2 audit of the department's data and expenditures of state funds  
3 received under RCW 36.22.179(1)(b) on an annual basis. The  
4 independent audit must review a random sample of local governments,  
5 contractors, and housing providers that is geographically and  
6 demographically diverse. The independent auditor must meet with the  
7 department and a landlord representative to review the preliminary  
8 audit and provide the department and the landlord representative with  
9 the opportunity to include written comments regarding the findings  
10 that must be included with the audit. The first audit of the  
11 department's data and expenditures will be for calendar year 2014 and  
12 is due July 1, 2015. Each audit thereafter will be due July 1st  
13 following the department's submission of the report to the  
14 legislature. If the independent audit finds that the department has  
15 failed to set aside at least forty-five percent of the funds received  
16 under RCW 36.22.179(1)(b) after June 12, 2014, for private rental  
17 housing payments, the independent auditor must notify the department  
18 and the office of financial management of its finding. In addition,  
19 the independent auditor must make recommendations to the office of  
20 financial management and the legislature on alternative means of  
21 distributing the funds to meet the requirements of RCW  
22 36.22.179(1)(b).

23 (e) The office of financial management must contract with an  
24 independent auditor to conduct a performance audit of the programs  
25 funded by document recording surcharge funds collected pursuant to  
26 RCW 36.22.178, 36.22.179, and 36.22.1791. The audit must provide  
27 findings to determine if the funds are being used effectively,  
28 efficiently, and for their intended purpose. The audit must review  
29 the department's performance in meeting all statutory requirements  
30 related to document recording surcharge funds including, but not  
31 limited to, the data the department collects, the timeliness and  
32 quality of required reports, and whether the data and required  
33 reports provide adequate information and accountability for the use  
34 of the document recording surcharge funds. The audit must include  
35 recommendations for policy and operational improvements to the use of  
36 document recording surcharges by counties and the department. The  
37 performance audit must be submitted to the legislature by December 1,  
38 2016.

39 (2) For purposes of this section:

1 (a) "Housing placement payments" means one-time payments, such as  
2 first and last month's rent and move-in costs, funded by document  
3 recording surcharges collected pursuant to RCW 36.22.178, 36.22.179,  
4 or 36.22.1791 that are made to secure a unit on behalf of a tenant.

5 (b) "Housing vouchers" means payments, including private rental  
6 housing payments, funded by document recording surcharges collected  
7 pursuant to RCW 36.22.178, 36.22.179, or 36.22.1791 that are made by  
8 a local government or contractor to secure: (i) A rental unit on  
9 behalf of an individual tenant; or (ii) a block of units on behalf of  
10 multiple tenants.

11 (c) "Interested landlord list" means a list of landlords who have  
12 indicated to a local government or contractor interest in renting to  
13 individuals or households receiving a housing voucher funded by  
14 document recording surcharges.

15 (d) "Private rental housing" means housing owned by a private  
16 landlord and does not include housing owned by a nonprofit housing  
17 entity or government entity.

18 (3) This section expires June 30, 2019.

19 NEW SECTION. **Sec. 14.** RCW 43.330.167 is recodified as a section  
20 in chapter 13.32A RCW.

21 NEW SECTION. **Sec. 15.** Creation of subchapter. Sections 1  
22 through 6 and 9 of this act are each added to chapter 13.32A RCW and  
23 codified with the subchapter heading "homeless youth prevention act."

24 NEW SECTION. **Sec. 16.** Short title. This act may be known and  
25 cited as the "homeless youth prevention act."

26 NEW SECTION. **Sec. 17.** If any provision of this act or its  
27 application to any person or circumstance is held invalid, the  
28 remainder of the act or the application of the provision to other  
29 persons or circumstances is not affected.

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