EHB 1729 - S COMM AMD
By Committee on Human Services, Mental Health & Housing

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 70.123.010 and 1979 ex.s. c 245 s 1 are each amended to read as follows:

(1) The legislature finds that domestic violence is an issue of ((~~growing~~)) serious concern at all levels of society and government and that there is a ((~~present and growing~~)) pressing need ((~~to develop~~)) for innovative strategies to address and prevent domestic violence and to strengthen services which will ameliorate and reduce the trauma of domestic violence and enhance survivors' resiliency and autonomy. ((~~Research findings show that domestic violence constitutes a significant percentage of homicides, aggravated assaults, and assaults and batteries in the United States. Domestic violence is a disruptive influence on personal and community life and is often interrelated with a number of other family problems and stresses.~~))

(2) The legislature finds that there are a wide range of consequences to domestic violence, including deaths, injuries, hospitalizations, homelessness, employment problems, property damage, and lifelong physical and psychological impacts on victims and their children. These impacts also affect victims' friends and families, neighbors, employers, landlords, law enforcement, the courts, the health care system, and Washington state and society as a whole. Advocacy and shelters for victims of domestic violence are essential to provide ((~~protection~~)) support to victims ((~~from~~)) in preventing further abuse ((~~and physical harm~~)) and to help ((~~the victim find~~)) victims assess and plan for their immediate and longer term safety, including finding long-range alternative living situations, if requested. ((~~Shelters provide safety, refuge, advocacy, and helping resources to victims who may not have access to such things if they remain in abusive situations.~~

~~The legislature therefore recognizes the need for the statewide development and expansion of shelters for victims of domestic violence.~~))

(3) Thus, it is the intent of the legislature to:

(a) Provide for a statewide network of supportive services, emergency shelter services, and advocacy for victims of domestic violence and their dependents;

(b) Provide for culturally relevant and appropriate services for victims of domestic violence and their children from populations that have been traditionally unserved or underserved;

(c) Provide for a statewide domestic violence information and referral resource;

(d) Assist communities in efforts to increase public awareness about, and primary and secondary prevention of domestic violence;

(e) Provide for the collection, analysis, and dissemination of current information related to emerging issues and model and promising practices related to preventing and intervening in situations involving domestic violence; and

(f) Provide for ongoing training and technical assistance for individuals working with victims in community-based domestic violence programs and other persons seeking such training and technical assistance.

Sec. 2. RCW 70.123.020 and 2008 c 6 s 303 are each amended to read as follows:

((~~Unless the context clearly requires otherwise,~~)) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Shelter" means ((~~a place of temporary refuge, offered on a twenty-four hour, seven day per week basis~~)) temporary lodging and supportive services, offered by community-based domestic violence programs to victims of domestic violence and their children.

(2) "Domestic violence" ((~~is~~)) means the infliction or threat of physical harm against an intimate partner, and includes physical, sexual, and psychological abuse against the partner, and is a part of a pattern of assaultive, coercive, and controlling behaviors directed at achieving compliance from or control over that intimate partner. It may include, but is not limited to, a categorization of offenses, as defined in RCW 10.99.020, committed by one ((~~cohabitant~~)) intimate partner against another.

(3) "Department" means the department of social and health services.

(4) "Victim" means ((~~a cohabitant~~)) an intimate partner who has been subjected to domestic violence.

(5) "((~~Cohabitant~~)) Intimate partner" means a person who is or was married, in a state registered domestic partnership, or ((~~cohabiting with another person~~)) in an intimate or dating relationship with another person at the present or at sometime in the past. Any person who has one or more children in common with another person, regardless of whether they have been married, in a domestic partnership with each other, or lived together at any time, shall be treated as ((~~a cohabitant~~)) an intimate partner.

(6) "Community advocate" means a person employed or supervised by a ((~~local~~)) community-based domestic violence program who is trained to provide ongoing assistance ((~~to~~)) and advocacy for victims of domestic violence in assessing and planning for safety needs, ((~~documenting the incidents and the extent of violence for possible use in the legal system,~~)) making appropriate social service, legal, and housing referrals, ((~~and developing protocols and~~)) providing community education, maintaining ((~~ongoing~~)) contacts necessary for prevention efforts, and developing protocols for local systems coordination.

(7) "Domestic violence program" means an agency ((~~that provides shelter, advocacy, and counseling for domestic violence victims in a supportive environment~~)), organization, or program with a primary purpose and a history of effective work in providing advocacy, safety assessment and planning, and self-help services for domestic violence in a supportive environment, and includes, but is not limited to, a community-based domestic violence program, emergency shelter, or domestic violence transitional housing program.

(8) "Legal advocate" means a person employed by a domestic violence program or court system to advocate for victims of domestic violence, within the criminal and civil justice systems, by attending court proceedings, assisting in document and case preparation, and ensuring linkage with the community advocate.

(9) "Secretary" means the secretary of the department of social and health services or the secretary's designee.

(10) "Community-based domestic violence program" means a nonprofit program or organization that provides, as its primary purpose, assistance and advocacy for domestic violence victims. Domestic violence assistance and advocacy includes crisis intervention, individual and group support, information and referrals, and safety assessment and planning. Domestic violence assistance and advocacy may also include, but is not limited to:

Provision of shelter, emergency transportation, self-help services, culturally specific services, legal advocacy, economic advocacy, community education, primary and secondary prevention efforts, and accompaniment and advocacy through medical, legal, immigration, human services, and financial assistance systems. Domestic violence programs that are under the auspices of, or the direct supervision of, a court, law enforcement or prosecution agency, or the child protective services section of the department as defined in RCW 26.44.020, are not considered community-based domestic violence programs.

(11) "Emergency shelter" means a place of supportive services and safe, temporary lodging offered on a twenty-four hour, seven-day per week basis to victims of domestic violence and their children.

(12) "Domestic violence coalition" means a statewide nonprofit domestic violence organization that has a membership that includes the majority of the primary purpose, community-based domestic violence programs in the state, has board membership that is representative of community-based, primary purpose domestic violence programs, and has as its purpose to provide education, support, and technical assistance to such community-based, primary purpose domestic violence programs and to assist the programs in providing shelter, advocacy, supportive services, and prevention efforts for victims of domestic violence and dating violence and their dependents.

Sec. 3. RCW 70.123.030 and 2005 c 374 s 4 are each amended to read as follows:

The department of social and health services, in consultation with ((~~the state department of health, and individuals or groups having experience and knowledge of the problems of victims of domestic violence~~)) relevant state departments, the domestic violence coalition, and individuals or groups having experience and knowledge of the prevention of, and the problems facing victims of domestic violence, including those with experience providing culturally appropriate services to populations that have traditionally been underserved or unserved, shall:

(1) Develop and maintain a plan for delivering domestic violence victim services, prevention efforts, and access to emergency shelter across the state. In developing the plan under this section, the department shall consider the distribution of community-based

domestic violence programs and emergency shelter programs in a particular geographic area, population density, and specific population needs, including the needs in rural and urban areas, the availability and existence of domestic violence outreach and prevention activities, and the need for culturally and linguistically appropriate services. The department shall also develop and maintain a plan for providing a statewide toll-free information and referral hotline or other statewide accessible information and referral service for victims of domestic violence;

(2) Establish minimum standards for ((~~shelters~~)) community-based domestic violence programs, emergency shelter programs, programs providing culturally or linguistically specific services, programs providing prevention and intervention services to children or youth, and programs conducting domestic violence outreach and prevention activities applying for grants from the department under this chapter((~~. Classifications may be made dependent upon size, geographic location, and population needs~~));

((~~(2)~~)) (3) Receive grant applications for the development and establishment of ((~~shelters for victims of domestic violence~~)) community-based domestic violence programs, emergency shelter programs, and culturally or linguistically specific services for victims of domestic violence, programs providing prevention and intervention services to children who have been exposed to domestic violence or youth who have been victims of dating violence, and programs conducting domestic violence outreach and prevention activities;

((~~(3)~~)) (4) Distribute funds((~~, within forty-five days after approval,~~)) to those ((~~shelters~~)) community-based domestic violence programs, emergency shelter programs, programs providing culturally or linguistically specific services, programs providing prevention and intervention services to children or youth, and programs conducting domestic violence outreach and prevention activities meeting departmental standards;

((~~(4)~~)) (5) Evaluate biennially each ((~~shelter~~)) community-based domestic violence program, emergency shelter program, program providing culturally or linguistically specific services, program providing prevention and intervention services to children or youth, and program conducting domestic violence outreach and prevention activities receiving departmental funds for compliance with the established minimum standards;

((~~(5)~~)) (6) Review the minimum standards each biennium to ensure applicability to community and client needs; ((~~and~~

~~(6)~~)) (7) Administer funds available from the domestic violence prevention account under RCW 70.123.150 ((~~and establish minimum standards for preventive, nonshelter community-based services receiving funds administered by the department. Preventive, nonshelter community-based services include services for victims of domestic violence from communities that have been traditionally underserved or unserved and services for children who have witnessed domestic violence~~)) to provide for:

(a) Culturally specific prevention efforts and culturally appropriate community-based domestic violence services for victims of domestic violence from populations that have been traditionally underserved or unserved;

(b) Age appropriate prevention and intervention services for children who have been exposed to domestic violence or youth who have been victims of dating violence; and

(c) Outreach and education efforts by community-based domestic violence programs designed to increase public awareness about, and primary and secondary prevention of, domestic and dating violence; and

(8) Receive applications from, and award grants or issue contracts to, eligible nonprofit groups or organizations with experience and expertise in the field of domestic violence and a statewide perspective for:

(a) Providing resources, ongoing training opportunities, and technical assistance relating to domestic violence for community-based domestic violence programs across the state to develop effective means for preventing domestic violence and providing effective and supportive services and interventions for victims of domestic violence;

(b) Providing resource information, technical assistance, and collaborating to develop model policies and protocols to improve the capacity of individuals, governmental entities, and communities to prevent domestic violence and to provide effective, supportive services and interventions to address domestic violence; and

(c) Providing opportunities to persons working in the area of domestic violence to exchange information and resources.

Sec. 4. RCW 70.123.040 and 2006 c 259 s 3 are each amended to read as follows:

(1) The department shall establish minimum standards that ensure that community-based domestic violence programs provide client-centered advocacy and services designed to enhance immediate and longer term safety, victim autonomy, and security by means such as, but not limited to, safety assessment and planning, information and referral, legal advocacy, culturally and linguistically appropriate services, access to shelter, and client confidentiality.

(2) Minimum standards established by the department under RCW 70.123.030 shall ensure that emergency shelter((~~s~~)) programs receiving grants under this chapter provide services meeting basic survival needs, where not provided by other means, such as, but not limited to, food, clothing, housing, ((~~safety,~~)) emergency transportation, child care assistance, safety assessment and planning, and security((~~, client advocacy, client confidentiality, and counseling~~)). Emergency shelters receiving grants under this chapter shall also provide client-centered advocacy and services designed to enhance client autonomy, client confidentiality, and immediate and longer term safety. These services shall be problem-oriented and designed to provide necessary assistance to the victims of domestic violence and their children.

((~~(2) The department shall establish minimum standards that ensure that nonshelter community-based services for victims of domestic violence funded under RCW 70.123.150 provide services designed to enhance safety and security by means such as, but not limited to, client advocacy, client confidentiality, and counseling.~~))

(3) In establishing minimum standards for programs providing culturally relevant prevention efforts and culturally appropriate services, priority for funding must be given to agencies or organizations that have a demonstrated history and expertise of serving domestic violence victims from the relevant populations that have traditionally been underserved or unserved.

(4) In establishing minimum standards for age appropriate prevention and intervention services for children who have been exposed to domestic violence, or youth who have been victims of dating violence, priority for funding must be given to programs with a documented history of effective work in providing advocacy and services to victims of domestic violence or dating violence, or an

agency with a demonstrated history of effective work with children and youth partnered with a domestic violence program.

Sec. 5. RCW 70.123.070 and 1979 ex.s. c 245 s 7 are each amended to read as follows:

((~~Shelters~~)) (1) Community-based domestic violence programs receiving state funds under this chapter shall:

(a) Provide a location to assist victims of domestic violence who have a need for community advocacy or support services;

(b) Make available confidential services, advocacy, and prevention programs to victims of domestic violence and to their children within available resources;

(c) Require that persons employed by or volunteering services for a community-based domestic violence program protect the confidentiality and privacy of domestic violence victims and their families in accordance with this chapter and RCW 5.60.060(8);

(d) Recruit, to the extent feasible, persons who are former victims of domestic violence to work as volunteers or staff personnel. An effort shall also be made to recruit staff and volunteers from relevant communities to provide culturally and linguistically appropriate services;

(e) Ensure that all employees or volunteers providing intervention or prevention programming to domestic violence victims or their children have completed or will complete sufficient training in connection with domestic violence; and

(f) Refrain from engaging in activities that compromise the safety of victims or their children.

(2) Emergency shelter programs receiving state funds under this chapter shall:

((~~(1) Make available~~)) (a) Provide intake for and access to safe shelter services to any person who is a victim of domestic violence and to that person's children, within available resources. Priority for emergency shelter shall be made for victims who are in immediate risk of harm or imminent danger from domestic violence;

((~~(2) Encourage victims, with the financial means to do so, to reimburse the shelter for the services provided;~~

~~(3)~~)) (b) Require that persons employed by or volunteering services for an emergency shelter protect the confidentiality and privacy of domestic violence victims and their families in accordance with this chapter and RCW 5.60.060(8);

(c) Recruit, to the extent feasible, persons who are former victims of domestic violence to work as volunteers or staff personnel. An effort shall also be made to ((~~provide bilingual services~~)) recruit staff and volunteers from relevant communities to provide culturally and linguistically appropriate services;

((~~(4) Provide prevention and treatment programs to victims of domestic violence, their children and, where possible, the abuser;~~

~~(5) Provide a day program or drop-in center to assist victims of domestic violence who have found other shelter but who have a need for support services.~~)) (d) Ensure that all employees or volunteers providing intervention or prevention programming to domestic violence victims or their children have completed or will complete sufficient training in connection with domestic violence; and

(e) Refrain from engaging in activities that compromise the safety of victims or their children.

Sec. 6. RCW 70.123.075 and 1994 c 233 s 1 are each amended to read as follows:

(1) Client records maintained by domestic violence programs shall not be subject to discovery in any judicial proceeding unless:

(a) A written pretrial motion is made to a court stating that discovery is requested of the client's domestic violence records;

(b) The written motion is accompanied by an affidavit or affidavits setting forth specifically the reasons why discovery is requested of the domestic violence program's records;

(c) The court reviews the domestic violence program's records in camera to determine whether the domestic violence program's records are relevant and whether the probative value of the records is outweighed by the victim's privacy interest in the confidentiality of such records, taking into account the further trauma that may be inflicted upon the victim or the victim's children by the disclosure of the records; and

(d) The court enters an order stating whether the records or any part of the records are discoverable and setting forth the basis for the court's findings. The court shall further order that the parties are prohibited from further dissemination of the records or parts of the records that are discoverable, and that any portion of any domestic violence program records included in the court file be sealed.

(2) For purposes of this section, "domestic violence program" means a program that provides shelter, advocacy, or counseling services for domestic violence victims.

(3) Disclosure of domestic violence program records is not a waiver of the victim's rights or privileges under statutes, rules of evidence, or common law.

(4) If disclosure of a victim's records is required by court order, the domestic violence program shall make reasonable attempts to provide notice to the recipient affected by the disclosure, and shall take steps necessary to protect the privacy and safety of the persons affected by the disclosure of the information.

Sec. 7. RCW 70.123.080 and 1979 ex.s. c 245 s 8 are each amended to read as follows:

The department shall consult in all phases with key stakeholders in the implementation of this chapter, including relevant state departments, the domestic violence coalition, individuals or groups who have experience providing culturally appropriate services to populations that have traditionally been underserved or unserved, and other persons and organizations having experience and expertise in the field of domestic violence.

Sec. 8. RCW 70.123.090 and 1979 ex.s. c 245 s 9 are each amended to read as follows:

The department is authorized, under this chapter and the rules adopted to effectuate its purposes, to make available grants awarded on a contract basis to public or private nonprofit agencies, organizations, or individuals providing community-based domestic violence services, emergency shelter services, domestic violence hotline or information and referral services, and prevention efforts meeting minimum standards established by the department. Consideration as to need, geographic location, population ratios, the needs of specific underserved and cultural populations, and the extent of existing services shall be made in the award of grants. The department shall provide ((~~technical assistance~~)) consultation to any nonprofit organization desiring to apply for the contracts if the organization does not possess the resources and expertise necessary to develop and transmit an application without assistance.

Sec. 9. RCW 70.123.110 and 2011 1st sp.s. c 36 s 16 are each amended to read as follows:

Aged, blind, or disabled assistance benefits, essential needs and housing support benefits, pregnant women assistance benefits, or temporary assistance for needy families payments shall be made to otherwise eligible individuals who are residing in a secure shelter, a housing network, an emergency shelter, or other shelter facility which provides shelter services to persons who are victims of domestic violence. Provisions shall be made by the department for the confidentiality of the shelter addresses where victims are residing.

Sec. 10. RCW 70.123.150 and 2005 c 374 s 3 are each amended to read as follows:

The domestic violence prevention account is created in the state treasury. All receipts from fees imposed for deposit in the domestic violence prevention account under RCW 36.18.016 must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for funding ((~~nonshelter community-based services for victims of domestic violence~~)) the following:

(1) Culturally specific prevention efforts and culturally appropriate community-based domestic violence services for victims of domestic violence from populations that have been traditionally underserved or unserved;

(2) Age appropriate prevention and intervention services for children who have been exposed to domestic violence or youth who have been victims of dating violence; and

(3) Outreach and education efforts by community-based domestic violence programs designed to increase public awareness about, and primary and secondary prevention of, domestic and dating violence.

NEW SECTION. **Sec. 11.** A new section is added to chapter 70.123 RCW to read as follows:

The Washington institute for public policy shall review community-based domestic violence victims' services nationwide and determine which programs are the most effective and most efficient in improving the capacity of individuals, governmental entities, and communities to provide effective, supportive services and interventions to address domestic and dating violence from the victims' perspective. Victims' services include culturally,

linguistically, and geographically relevant programs, as well as outreach and awareness programs that include children and youth. The institute shall review what services and programs are currently available in Washington and determine whether there is a gap in services and what services, if any, are needed. The institute shall report on models that can be replicated in Washington state, provide the estimated cost for such programs, and describe funding sources proven effective in other states. The institute may consult with the department and existing domestic violence victims' services in Washington state. A report of the institute's findings shall be provided to the legislature by December 31, 2015.

Sec. 12. RCW 36.18.016 and 2009 c 417 s 2 are each amended to read as follows:

(1) Revenue collected under this section is not subject to division under RCW 36.18.025 or 27.24.070.

(2)(a) For the filing of a petition for modification of a decree of dissolution or paternity, within the same case as the original action, and any party filing a counterclaim, cross-claim, or third-party claim in any such action, a fee of thirty-six dollars must be paid.

(b) The party filing the first or initial petition for dissolution, legal separation, or declaration concerning the validity of marriage shall pay, at the time and in addition to the filing fee required under RCW 36.18.020, a fee of thirty dollars. The clerk of the superior court shall transmit monthly twenty-four dollars of the thirty dollar fee collected under this subsection to the state treasury for deposit in the domestic violence prevention account. The remaining six dollars shall be retained by the county for the purpose of supporting community-based domestic violence services within the county ((~~for victims of domestic violence~~)), except for five percent of the six dollars, which may be retained by the court for administrative purposes. Moneys retained by the county under this subsection may be used to supplement, not supplant, other federal state, and local funds for community-based domestic violence services. In any county where the remaining six dollars have not been allocated for community-based domestic violence program services within six months of collection, the county shall transmit such funds to the state treasury for deposit in the domestic violence prevention account. Until June 30, 2020, an additional fee of fifteen dollars

shall be collected under this subsection. The clerk of the superior court shall transmit monthly the fees collected under this subsection to the state treasury for deposit in the domestic violence prevention account.

(3)(a) The party making a demand for a jury of six in a civil action shall pay, at the time, a fee of one hundred twenty-five dollars; if the demand is for a jury of twelve, a fee of two hundred fifty dollars. If, after the party demands a jury of six and pays the required fee, any other party to the action requests a jury of twelve, an additional one hundred twenty-five dollar fee will be required of the party demanding the increased number of jurors.

(b) Upon conviction in criminal cases a jury demand charge of one hundred twenty-five dollars for a jury of six, or two hundred fifty dollars for a jury of twelve may be imposed as costs under RCW 10.46.190.

(4) For preparing a certified copy of an instrument on file or of record in the clerk's office, for the first page or portion of the first page, a fee of five dollars, and for each additional page or portion of a page, a fee of one dollar must be charged. For authenticating or exemplifying an instrument, a fee of two dollars for each additional seal affixed must be charged. For preparing a copy of an instrument on file or of record in the clerk's office without a seal, a fee of fifty cents per page must be charged. When copying a document without a seal or file that is in an electronic format, a fee of twenty-five cents per page must be charged. For copies made on a compact disc, an additional fee of twenty dollars for each compact disc must be charged.

(5) For executing a certificate, with or without a seal, a fee of two dollars must be charged.

(6) For a garnishee defendant named in an affidavit for garnishment and for a writ of attachment, a fee of twenty dollars must be charged.

(7) For filing a supplemental proceeding, a fee of twenty dollars must be charged.

(8) For approving a bond, including justification on the bond, in other than civil actions and probate proceedings, a fee of two dollars must be charged.

(9) For the issuance of a certificate of qualification and a certified copy of letters of administration, letters testamentary, or letters of guardianship, there must be a fee of five dollars.

(10) For the preparation of a passport application, the clerk may collect an execution fee as authorized by the federal government.

(11) For clerk's services such as performing historical searches, compiling statistical reports, and conducting exceptional record searches, the clerk may collect a fee not to exceed thirty dollars per hour.

(12) For processing ex parte orders, the clerk may collect a fee of thirty dollars.

(13) For duplicated recordings of court's proceedings there must be a fee of ten dollars for each audio tape and twenty-five dollars for each video tape or other electronic storage medium.

(14) For registration of land titles, Torrens Act, under RCW 65.12.780, a fee of twenty dollars must be charged.

(15) For the issuance of extension of judgment under RCW 6.17.020 and chapter 9.94A RCW, a fee of two hundred dollars must be charged. When the extension of judgment is at the request of the clerk, the two hundred dollar charge may be imposed as court costs under RCW 10.46.190.

(16) A facilitator surcharge of up to twenty dollars must be charged as authorized under RCW 26.12.240.

(17) For filing ((~~a water rights statement~~)) <u>an adjudication claim</u> under RCW 90.03.180, a fee of twenty-five dollars must be charged.

(18) For filing a claim of frivolous lien under RCW 60.04.081, a fee of thirty-five dollars must be charged.

(19) For preparation of a change of venue, a fee of twenty dollars must be charged by the originating court in addition to the per page charges in subsection (4) of this section.

(20) A service fee of five dollars for the first page and one dollar for each additional page must be charged for receiving faxed documents, pursuant to Washington state rules of court, general rule 17.

(21) For preparation of clerk's papers under RAP 9.7, a fee of fifty cents per page must be charged.

(22) For copies and reports produced at the local level as permitted by RCW 2.68.020 and supreme court policy, a variable fee must be charged.

(23) Investment service charge and earnings under RCW 36.48.090 must be charged.

(24) Costs for nonstatutory services rendered by clerk by authority of local ordinance or policy must be charged.

(25) For filing a request for mandatory arbitration, a filing fee may be assessed against the party filing a statement of arbitrability not to exceed two hundred twenty dollars as established by authority of local ordinance. This charge shall be used solely to offset the cost of the mandatory arbitration program.

(26) For filing a request for trial de novo of an arbitration award, a fee not to exceed two hundred fifty dollars as established by authority of local ordinance must be charged.

(27) A public agency may not charge a fee to a law enforcement agency, for preparation, copying, or mailing of certified copies of the judgment and sentence, information, affidavit of probable cause, and/or the notice of requirement to register, of a sex offender convicted in a Washington court, when such records are necessary for risk assessment, preparation of a case for failure to register, or maintenance of a sex offender's registration file.

(28) For the filing of a will or codicil under the provisions of chapter 11.12 RCW, a fee of twenty dollars must be charged.

(29) For the collection of unpaid legal financial obligations, the clerk may impose an annual fee of up to one hundred dollars, pursuant to RCW 9.94A.780.

(30) A surcharge of up to twenty dollars may be charged in dissolution and legal separation actions as authorized by RCW 26.12.260.

The revenue to counties from the fees established in this section shall be deemed to be complete reimbursement from the state for the state's share of benefits paid to the superior court judges of the state prior to July 24, 2005, and no claim shall lie against the state for such benefits.

Sec. 13. RCW 43.235.020 and 2011 c 105 s 1 are each amended to read as follows:

(1) <u>The department is authorized, s</u>ubject to the availability of state funds, ((~~the department shall contract with~~)) <u>to make available grants awarded on a contract basis to</u> an entity with expertise in domestic violence policy and education and with a statewide perspective to <u>gather and maintain data relating to and</u> coordinate review of domestic violence fatalities.

<u>(2)</u> The coordinating entity shall be authorized to:

(a) Convene regional review panels;

(b) Convene statewide issue-specific review panels;

(c) Gather information for use of regional or statewide issue-specific review panels;

(d) Provide training and technical assistance to regional or statewide issue-specific review panels;

(e) Compile information and issue reports with recommendations; and

(f) Establish a protocol that may be used as a guideline for identifying domestic violence related fatalities, forming review panels, convening reviews, and selecting which cases to review. The coordinating entity may also establish protocols for data collection and preservation of confidentiality.

((~~(2)~~)) (3)(a) The coordinating entity may convene a regional or statewide issue-specific domestic violence fatality review panel to review any domestic violence fatality.

(b) Private citizens may request a review of a particular death by submitting a written request to the coordinating entity within two years of the death. Of these, the appropriate regional review panel may review those cases which fit the criteria set forth in the protocol for the project.

Sec. 14. RCW 43.235.040 and 2012 c 223 s 6 are each amended to read as follows:

(1) An oral or written communication or a document shared with the coordinating entity or within or produced by a domestic violence fatality review panel related to a domestic violence fatality review is confidential and not subject to disclosure or discoverable by a third party. An oral or written communication or a document provided by a third party to the coordinating entity or a domestic violence fatality review panel, or between a third party and a domestic violence fatality review panel, related to a domestic violence fatality review is confidential and not subject to disclosure or discovery by a third party. Notwithstanding the foregoing, recommendations from the domestic violence fatality review panel and the coordinating entity generally may be disclosed minus personal identifiers.

(2) The coordinating entity and review panels, only to the extent otherwise permitted by law or court rule, shall have access to information and records regarding the domestic violence victims and

perpetrators under review held by domestic violence perpetrators' treatment providers; dental care providers; hospitals, medical providers, and pathologists; coroners and medical examiners; mental health providers; lawyers; the state and local governments; the courts; and employers. The coordinating entity and the review panels shall maintain the confidentiality of such information to the extent required by any applicable law.

(3) The coordinating entity or review panels shall review, only to the extent otherwise permitted by law or court rule when determined to be relevant and necessary to an investigation, guardian ad litem reports, parenting evaluations, and victim impact statements; probation information; mental health evaluations done for court; presentence interviews and reports, and any recommendations made regarding bail and release on own recognizance; child protection services, welfare, and other information held by the department; any law enforcement incident documentation, such as incident reports, dispatch records, victim, witness, and suspect statements, and any supplemental reports, probable cause statements, and 911 call taker's reports; corrections and postsentence supervision reports; and any other information determined to be relevant to the review. The coordinating entity and the review panels shall maintain the confidentiality of such information to the extent required by any applicable law.

NEW SECTION. **Sec. 15.** The following acts or parts of acts, as now or hereafter amended, are each repealed, effective July 1, 2016:

(1) RCW 70.123.050 (Contracts with nonprofit organizations—Purposes) and 1979 ex.s. c 245 s 5; and

(2) RCW 70.123.130 (Technical assistance grant program—Local communities) and 1991 c 301 s 11.

NEW SECTION. **Sec. 16.** If specific funding for the purposes of section 11 of this act, referencing section 11 of this act by bill or chapter number and section number, is not provided by June 30, 2015, in the omnibus appropriations act, section 11 of this act is null and void.

NEW SECTION. **Sec. 17.** Sections 1 through 9 and 12 through 14 of this act take effect July 1, 2016."

On page 1, line 3 of the title, after "services;" strike the remainder of the title and insert "amending RCW 70.123.010, 70.123.020, 70.123.030, 70.123.040, 70.123.070, 70.123.075, 70.123.080, 70.123.090, 70.123.110, 70.123.150, 36.18.016, 43.235.020, and 43.235.040; adding a new section to chapter 70.123 RCW; creating a new section; repealing RCW 70.123.050 and 70.123.130; and providing an effective date."

EFFECT: The $15 surcharge is removed from marriage licenses and added to dissolution filings. The surcharge expires June 30, 2020. The money will be deposited into the DV Prevention Account. WSIPP will review community-based domestic violence victims' services nationwide and determine which programs are the most effective and most efficient in improving the capacity of individuals, governmental entities, and communities to provide effective, supportive services and interventions to address domestic and dating violence from the victims' perspective. A report to the Legislature is due December 31, 2015. The act, other than the WSIPP study, is effective July 1, 2016.

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