
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-2133.2/17 2nd draft

ATTY/TYPIST: BP:akl

BRIEF DESCRIPTION: Concerning the goal of ending homelessness.

1 AN ACT Relating to ending homelessness; amending RCW 26.44.030,
2 74.15.030, 43.330.700, 43.330.705, 43.330.706, 43.330.710,
3 43.185C.180, 43.185C.030, 43.185C.040, 43.185C.070, 43.185C.160,
4 43.185C.170, 36.22.178, 36.22.179, 36.22.1791, and 43.185C.240;
5 adding a new section to chapter 13.32A RCW; adding new sections to
6 chapter 43.185C RCW; adding a new chapter to Title 9A RCW; creating
7 new sections; prescribing penalties; and making appropriations.

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

9 **PART I**

10 NEW SECTION. **Sec. 101.** The legislature finds and declares that
11 homelessness is a crisis in Washington state. Of particular concern
12 is the alarming number of runaway and unaccompanied homeless
13 children. To address the concern, the legislature finds and declares
14 that there must be no runaway and unaccompanied homeless children in
15 our state by July 1, 2018. To achieve this goal and address this
16 crisis, a runaway and unaccompanied homeless child is to be
17 considered neglected and every effort must be made to reunify the
18 child with his or her family or guardian. If family reunification is
19 not possible, the child must be screened in for services by the
20 department of social and health services. Additionally, to ensure

1 that all children are accounted for, parents, guardians, and
2 caregivers are required to report missing children.

3 **Sec. 102.** RCW 26.44.030 and 2016 c 166 s 4 are each amended to
4 read as follows:

5 (1)(a) When a person who works with children including, but not
6 limited to, any practitioner, county coroner or medical examiner, law
7 enforcement officer, professional school personnel, registered or
8 licensed nurse, social service counselor, psychologist, pharmacist,
9 employee of the department of early learning, licensed or certified
10 child care providers or their employees, employee of the department,
11 juvenile probation officer, placement and liaison specialist,
12 responsible living skills program staff, HOPE center staff, street
13 youth services staff, state family and children's ombuds or any
14 volunteer in the ombuds's office, or host home program has reasonable
15 cause to believe that a child has suffered abuse or neglect, he or
16 she shall report such incident, or cause a report to be made, to the
17 proper law enforcement agency or to the department as provided in RCW
18 26.44.040.

19 (b) When any person, in his or her official supervisory capacity
20 with a nonprofit or for-profit organization, has reasonable cause to
21 believe that a child has suffered abuse or neglect caused by a person
22 over whom he or she regularly exercises supervisory authority, he or
23 she shall report such incident, or cause a report to be made, to the
24 proper law enforcement agency, provided that the person alleged to
25 have caused the abuse or neglect is employed by, contracted by, or
26 volunteers with the organization and coaches, trains, educates, or
27 counsels a child or children or regularly has unsupervised access to
28 a child or children as part of the employment, contract, or voluntary
29 service. No one shall be required to report under this section when
30 he or she obtains the information solely as a result of a privileged
31 communication as provided in RCW 5.60.060.

32 Nothing in this subsection (1)(b) shall limit a person's duty to
33 report under (a) of this subsection.

34 For the purposes of this subsection, the following definitions
35 apply:

36 (i) "Official supervisory capacity" means a position, status, or
37 role created, recognized, or designated by any nonprofit or for-
38 profit organization, either for financial gain or without financial
39 gain, whose scope includes, but is not limited to, overseeing,

1 directing, or managing another person who is employed by, contracted
2 by, or volunteers with the nonprofit or for-profit organization.

3 (ii) "Organization" includes a sole proprietor, partnership,
4 corporation, limited liability company, trust, association, financial
5 institution, governmental entity, other than the federal government,
6 and any other individual or group engaged in a trade, occupation,
7 enterprise, governmental function, charitable function, or similar
8 activity in this state whether or not the entity is operated as a
9 nonprofit or for-profit entity.

10 (iii) "Reasonable cause" means a person witnesses or receives a
11 credible written or oral report alleging abuse, including sexual
12 contact, or neglect of a child.

13 (iv) "Regularly exercises supervisory authority" means to act in
14 his or her official supervisory capacity on an ongoing or continuing
15 basis with regards to a particular person.

16 (v) "Sexual contact" has the same meaning as in RCW 9A.44.010.

17 (c) The reporting requirement also applies to department of
18 corrections personnel who, in the course of their employment, observe
19 offenders or the children with whom the offenders are in contact. If,
20 as a result of observations or information received in the course of
21 his or her employment, any department of corrections personnel has
22 reasonable cause to believe that a child has suffered abuse or
23 neglect, he or she shall report the incident, or cause a report to be
24 made, to the proper law enforcement agency or to the department as
25 provided in RCW 26.44.040.

26 (d) The reporting requirement shall also apply to any adult who
27 has reasonable cause to believe that a child who resides with them,
28 has suffered severe abuse, and is able or capable of making a report.
29 For the purposes of this subsection, "severe abuse" means any of the
30 following: Any single act of abuse that causes physical trauma of
31 sufficient severity that, if left untreated, could cause death; any
32 single act of sexual abuse that causes significant bleeding, deep
33 bruising, or significant external or internal swelling; or more than
34 one act of physical abuse, each of which causes bleeding, deep
35 bruising, significant external or internal swelling, bone fracture,
36 or unconsciousness.

37 (e) The reporting requirement also applies to guardians ad litem,
38 including court-appointed special advocates, appointed under Titles
39 11 and 13 RCW and this title, who in the course of their

1 representation of children in these actions have reasonable cause to
2 believe a child has been abused or neglected.

3 (f) The reporting requirement in (a) of this subsection also
4 applies to administrative and academic or athletic department
5 employees, including student employees, of institutions of higher
6 education, as defined in RCW 28B.10.016, and of private institutions
7 of higher education.

8 (g) The report must be made at the first opportunity, but in no
9 case longer than forty-eight hours after there is reasonable cause to
10 believe that the child has suffered abuse or neglect. The report must
11 include the identity of the accused if known.

12 (2) The reporting requirement of subsection (1) of this section
13 does not apply to the discovery of abuse or neglect that occurred
14 during childhood if it is discovered after the child has become an
15 adult. However, if there is reasonable cause to believe other
16 children are or may be at risk of abuse or neglect by the accused,
17 the reporting requirement of subsection (1) of this section does
18 apply.

19 (3) Any other person who has reasonable cause to believe that a
20 child has suffered abuse or neglect may report such incident to the
21 proper law enforcement agency or to the department of social and
22 health services as provided in RCW 26.44.040.

23 (4) The department, upon receiving a report of an incident of
24 alleged abuse or neglect pursuant to this chapter, involving a child
25 who has died or has had physical injury or injuries inflicted upon
26 him or her other than by accidental means or who has been subjected
27 to alleged sexual abuse, shall report such incident to the proper law
28 enforcement agency, including military law enforcement, if
29 appropriate. In emergency cases, where the child's welfare is
30 endangered, the department shall notify the proper law enforcement
31 agency within twenty-four hours after a report is received by the
32 department. In all other cases, the department shall notify the law
33 enforcement agency within seventy-two hours after a report is
34 received by the department. If the department makes an oral report, a
35 written report must also be made to the proper law enforcement agency
36 within five days thereafter.

37 (5) Any law enforcement agency receiving a report of an incident
38 of alleged abuse or neglect pursuant to this chapter, involving a
39 child who has died or has had physical injury or injuries inflicted
40 upon him or her other than by accidental means, or who has been

1 subjected to alleged sexual abuse, shall report such incident in
2 writing as provided in RCW 26.44.040 to the proper county prosecutor
3 or city attorney for appropriate action whenever the law enforcement
4 agency's investigation reveals that a crime may have been committed.
5 The law enforcement agency shall also notify the department of all
6 reports received and the law enforcement agency's disposition of
7 them. In emergency cases, where the child's welfare is endangered,
8 the law enforcement agency shall notify the department within twenty-
9 four hours. In all other cases, the law enforcement agency shall
10 notify the department within seventy-two hours after a report is
11 received by the law enforcement agency.

12 (6) Any county prosecutor or city attorney receiving a report
13 under subsection (5) of this section shall notify the victim, any
14 persons the victim requests, and the local office of the department,
15 of the decision to charge or decline to charge a crime, within five
16 days of making the decision.

17 (7) The department may conduct ongoing case planning and
18 consultation with those persons or agencies required to report under
19 this section, with consultants designated by the department, and with
20 designated representatives of Washington Indian tribes if the client
21 information exchanged is pertinent to cases currently receiving child
22 protective services. Upon request, the department shall conduct such
23 planning and consultation with those persons required to report under
24 this section if the department determines it is in the best interests
25 of the child. Information considered privileged by statute and not
26 directly related to reports required by this section must not be
27 divulged without a valid written waiver of the privilege.

28 (8) Any case referred to the department by a physician licensed
29 under chapter 18.57 or 18.71 RCW on the basis of an expert medical
30 opinion that child abuse, neglect, or sexual assault has occurred and
31 that the child's safety will be seriously endangered if returned
32 home, the department shall file a dependency petition unless a second
33 licensed physician of the parents' choice believes that such expert
34 medical opinion is incorrect. If the parents fail to designate a
35 second physician, the department may make the selection. If a
36 physician finds that a child has suffered abuse or neglect but that
37 such abuse or neglect does not constitute imminent danger to the
38 child's health or safety, and the department agrees with the
39 physician's assessment, the child may be left in the parents' home

1 while the department proceeds with reasonable efforts to remedy
2 parenting deficiencies.

3 (9) Persons or agencies exchanging information under subsection
4 (7) of this section shall not further disseminate or release the
5 information except as authorized by state or federal statute.
6 Violation of this subsection is a misdemeanor.

7 (10) Upon receiving a report of alleged abuse or neglect, the
8 department shall make reasonable efforts to learn the name, address,
9 and telephone number of each person making a report of abuse or
10 neglect under this section. The department shall provide assurances
11 of appropriate confidentiality of the identification of persons
12 reporting under this section. If the department is unable to learn
13 the information required under this subsection, the department shall
14 only investigate cases in which:

15 (a) The department believes there is a serious threat of
16 substantial harm to the child;

17 (b) The report indicates conduct involving a criminal offense
18 that has, or is about to occur, in which the child is the victim; or

19 (c) The department has a prior founded report of abuse or neglect
20 with regard to a member of the household that is within three years
21 of receipt of the referral.

22 (11)(a) Upon receiving a report of alleged abuse or neglect, the
23 department shall use one of the following discrete responses to
24 reports of child abuse or neglect that are screened in and accepted
25 for departmental response:

26 (i) Investigation; or

27 (ii) Family assessment.

28 (b) In making the response in (a) of this subsection the
29 department shall:

30 (i) Use a method by which to assign cases to investigation or
31 family assessment which are based on an array of factors that may
32 include the presence of: Imminent danger, level of risk, number of
33 previous child abuse or neglect reports, or other presenting case
34 characteristics, such as the type of alleged maltreatment and the age
35 of the alleged victim. Age of the alleged victim shall not be used as
36 the sole criterion for determining case assignment;

37 (ii) Allow for a change in response assignment based on new
38 information that alters risk or safety level;

39 (iii) Allow families assigned to family assessment to choose to
40 receive an investigation rather than a family assessment;

1 (iv) Provide a full investigation if a family refuses the initial
2 family assessment;

3 (v) Provide voluntary services to families based on the results
4 of the initial family assessment. If a family refuses voluntary
5 services, and the department cannot identify specific facts related
6 to risk or safety that warrant assignment to investigation under this
7 chapter, and there is not a history of reports of child abuse or
8 neglect related to the family, then the department must close the
9 family assessment response case. However, if at any time the
10 department identifies risk or safety factors that warrant an
11 investigation under this chapter, then the family assessment response
12 case must be reassigned to investigation;

13 (vi) Conduct an investigation, and not a family assessment, in
14 response to an allegation that, the department determines based on
15 the intake assessment:

16 (A) Poses a risk of "imminent harm" consistent with the
17 definition provided in RCW 13.34.050, which includes, but is not
18 limited to, sexual abuse and sexual exploitation as defined in this
19 chapter;

20 (B) Poses a serious threat of substantial harm to a child;

21 (C) Constitutes conduct involving a criminal offense that has, or
22 is about to occur, in which the child is the victim;

23 (D) The child is an abandoned child as defined in RCW 13.34.030;

24 (E) The child is an adjudicated dependent child as defined in RCW
25 13.34.030, or the child is in a facility that is licensed, operated,
26 or certified for care of children by the department under chapter
27 74.15 RCW, or by the department of early learning.

28 (c) The department may not be held civilly liable for the
29 decision to respond to an allegation of child abuse or neglect by
30 using the family assessment response under this section unless the
31 state or its officers, agents, or employees acted with reckless
32 disregard.

33 (12)(a) For reports of alleged abuse or neglect that are accepted
34 for investigation by the department, the investigation shall be
35 conducted within time frames established by the department in rule.
36 In no case shall the investigation extend longer than ninety days
37 from the date the report is received, unless the investigation is
38 being conducted under a written protocol pursuant to RCW 26.44.180
39 and a law enforcement agency or prosecuting attorney has determined
40 that a longer investigation period is necessary. At the completion of

1 the investigation, the department shall make a finding that the
2 report of child abuse or neglect is founded or unfounded.

3 (b) If a court in a civil or criminal proceeding, considering the
4 same facts or circumstances as are contained in the report being
5 investigated by the department, makes a judicial finding by a
6 preponderance of the evidence or higher that the subject of the
7 pending investigation has abused or neglected the child, the
8 department shall adopt the finding in its investigation.

9 (13) For reports of alleged abuse or neglect that are responded
10 to through family assessment response, the department shall:

11 (a) Provide the family with a written explanation of the
12 procedure for assessment of the child and the family and its
13 purposes;

14 (b) Collaborate with the family to identify family strengths,
15 resources, and service needs, and develop a service plan with the
16 goal of reducing risk of harm to the child and improving or restoring
17 family well-being;

18 (c) Complete the family assessment response within forty-five
19 days of receiving the report; however, upon parental agreement, the
20 family assessment response period may be extended up to ninety days;

21 (d) Offer services to the family in a manner that makes it clear
22 that acceptance of the services is voluntary;

23 (e) Implement the family assessment response in a consistent and
24 cooperative manner;

25 (f) Have the parent or guardian sign an agreement to participate
26 in services before services are initiated that informs the parents of
27 their rights under family assessment response, all of their options,
28 and the options the department has if the parents do not sign the
29 consent form.

30 (14)(a) In conducting an investigation or family assessment of
31 alleged abuse or neglect, the department or law enforcement agency:

32 (i) May interview children. If the department determines that the
33 response to the allegation will be family assessment response, the
34 preferred practice is to request a parent's, guardian's, or
35 custodian's permission to interview the child before conducting the
36 child interview unless doing so would compromise the safety of the
37 child or the integrity of the assessment. The interviews may be
38 conducted on school premises, at day-care facilities, at the child's
39 home, or at other suitable locations outside of the presence of
40 parents. If the allegation is investigated, parental notification of

1 the interview must occur at the earliest possible point in the
2 investigation that will not jeopardize the safety or protection of
3 the child or the course of the investigation. Prior to commencing the
4 interview the department or law enforcement agency shall determine
5 whether the child wishes a third party to be present for the
6 interview and, if so, shall make reasonable efforts to accommodate
7 the child's wishes. Unless the child objects, the department or law
8 enforcement agency shall make reasonable efforts to include a third
9 party in any interview so long as the presence of the third party
10 will not jeopardize the course of the investigation; and

11 (ii) Shall have access to all relevant records of the child in
12 the possession of mandated reporters and their employees.

13 (b) The Washington state school directors' association shall
14 adopt a model policy addressing protocols when an interview, as
15 authorized by this subsection, is conducted on school premises. In
16 formulating its policy, the association shall consult with the
17 department and the Washington association of sheriffs and police
18 chiefs.

19 (15) If a report of alleged abuse or neglect is founded and
20 constitutes the third founded report received by the department
21 within the last twelve months involving the same child or family, the
22 department shall promptly notify the office of the family and
23 children's ombuds of the contents of the report. The department shall
24 also notify the ombuds of the disposition of the report.

25 (16) In investigating and responding to allegations of child
26 abuse and neglect, the department may conduct background checks as
27 authorized by state and federal law.

28 (17)(a) The department shall maintain investigation records and
29 conduct timely and periodic reviews of all founded cases of abuse and
30 neglect. The department shall maintain a log of screened-out
31 nonabusive cases.

32 (b) In the family assessment response, the department shall not
33 make a finding as to whether child abuse or neglect occurred. No one
34 shall be named as a perpetrator and no investigative finding shall be
35 entered in the department's child abuse or neglect database.

36 (18) The department shall use a risk assessment process when
37 investigating alleged child abuse and neglect referrals. The
38 department shall present the risk factors at all hearings in which
39 the placement of a dependent child is an issue. Substance abuse must
40 be a risk factor.

1 (19) Upon receipt of a report of alleged abuse or neglect the law
2 enforcement agency may arrange to interview the person making the
3 report and any collateral sources to determine if any malice is
4 involved in the reporting.

5 (20) Upon receiving a report of alleged abuse or neglect
6 involving a child under the court's jurisdiction under chapter 13.34
7 RCW, the department shall promptly notify the child's guardian ad
8 litem of the report's contents. The department shall also notify the
9 guardian ad litem of the disposition of the report. For purposes of
10 this subsection, "guardian ad litem" has the meaning provided in RCW
11 13.34.030.

12 (21) The department shall make efforts as soon as practicable to
13 determine the military status of parents whose children are subject
14 to abuse or neglect allegations. If the department determines that a
15 parent or guardian is in the military, the department shall notify a
16 department of defense family advocacy program that there is an
17 allegation of abuse and neglect that is screened in and open for
18 investigation that relates to that military parent or guardian.

19 **Sec. 103.** RCW 74.15.030 and 2014 c 104 s 2 are each amended to
20 read as follows:

21 The secretary shall have the power and it shall be the
22 secretary's duty:

23 (1) In consultation with the children's services advisory
24 committee, and with the advice and assistance of persons
25 representative of the various type agencies to be licensed, to
26 designate categories of facilities for which separate or different
27 requirements shall be developed as may be appropriate whether because
28 of variations in the ages, sex and other characteristics of persons
29 served, variations in the purposes and services offered or size or
30 structure of the agencies to be licensed hereunder, or because of any
31 other factor relevant thereto;

32 (2) In consultation with the children's services advisory
33 committee, and with the advice and assistance of persons
34 representative of the various type agencies to be licensed, to adopt
35 and publish minimum requirements for licensing applicable to each of
36 the various categories of agencies to be licensed.

37 The minimum requirements shall be limited to:

1 (a) The size and suitability of a facility and the plan of
2 operation for carrying out the purpose for which an applicant seeks a
3 license;

4 (b) Obtaining background information and any out-of-state
5 equivalent, to determine whether the applicant or service provider is
6 disqualified and to determine the character, competence, and
7 suitability of an agency, the agency's employees, volunteers, and
8 other persons associated with an agency;

9 (c) Conducting background checks for those who will or may have
10 unsupervised access to children, expectant mothers, or individuals
11 with a developmental disability; however, a background check is not
12 required if a caregiver approves an activity pursuant to the prudent
13 parent standard contained in RCW 74.13.710;

14 (d) Obtaining child protective services information or records
15 maintained in the department case management information system. No
16 unfounded allegation of child abuse or neglect as defined in RCW
17 26.44.020 may be disclosed to a child-placing agency, private
18 adoption agency, or any other provider licensed under this chapter;

19 (e) Submitting a fingerprint-based background check through the
20 Washington state patrol under chapter 10.97 RCW and through the
21 federal bureau of investigation for:

22 (i) Agencies and their staff, volunteers, students, and interns
23 when the agency is seeking license or relicensure;

24 (ii) Foster care and adoption placements; and

25 (iii) Any adult living in a home where a child may be placed;

26 (f) If any adult living in the home has not resided in the state
27 of Washington for the preceding five years, the department shall
28 review any child abuse and neglect registries maintained by any state
29 where the adult has resided over the preceding five years;

30 (g) The cost of fingerprint background check fees will be paid as
31 required in RCW 43.43.837;

32 (h) National and state background information must be used solely
33 for the purpose of determining eligibility for a license and for
34 determining the character, suitability, and competence of those
35 persons or agencies, excluding parents, not required to be licensed
36 who are authorized to care for children or expectant mothers;

37 (i) The number of qualified persons required to render the type
38 of care and treatment for which an agency seeks a license;

1 (j) The safety, cleanliness, and general adequacy of the premises
2 to provide for the comfort, care and well-being of children,
3 expectant mothers or developmentally disabled persons;

4 (k) The provision of necessary care, including food, clothing,
5 supervision and discipline; physical, mental and social well-being;
6 and educational, recreational and spiritual opportunities for those
7 served;

8 (l) The financial ability of an agency to comply with minimum
9 requirements established pursuant to this chapter ((~~74.15~~ RCW)) and
10 RCW 74.13.031; and

11 (m) The maintenance of records pertaining to the admission,
12 progress, health and discharge of persons served;

13 (3) To investigate any person, including relatives by blood or
14 marriage except for parents, for character, suitability, and
15 competence in the care and treatment of children, expectant mothers,
16 and developmentally disabled persons prior to authorizing that person
17 to care for children, expectant mothers, and developmentally disabled
18 persons. However, if a child is placed with a relative under RCW
19 13.34.065 or 13.34.130, and if such relative appears otherwise
20 suitable and competent to provide care and treatment the criminal
21 history background check required by this section need not be
22 completed before placement, but shall be completed as soon as
23 possible after placement;

24 (4) On reports of alleged child abuse and neglect, to investigate
25 agencies in accordance with chapter 26.44 RCW, including child day-
26 care centers and family day-care homes, to determine whether the
27 alleged abuse or neglect has occurred, and whether child protective
28 services or referral to a law enforcement agency is appropriate;

29 (5) To issue, revoke, or deny licenses to agencies pursuant to
30 this chapter ((~~74.15~~ RCW)) and RCW 74.13.031. Licenses shall specify
31 the category of care which an agency is authorized to render and the
32 ages, sex and number of persons to be served;

33 (6) To prescribe the procedures and the form and contents of
34 reports necessary for the administration of this chapter ((~~74.15~~
35 RCW)) and RCW 74.13.031 and to require regular reports from each
36 licensee;

37 (7) To inspect agencies periodically to determine whether or not
38 there is compliance with this chapter ((~~74.15~~ RCW)) and RCW 74.13.031
39 and the requirements adopted hereunder, including biennial
40 inspections of facilities licensed under this chapter that provide

1 shelter to unaccompanied homeless youth as defined in RCW 43.330.702,
2 with the results of the biennial inspections provided to the office
3 of homeless youth prevention and protection programs and the
4 legislature;

5 (8) To review requirements adopted hereunder at least every two
6 years and to adopt appropriate changes after consultation with
7 affected groups for child day-care requirements and with the
8 children's services advisory committee for requirements for other
9 agencies; and

10 (9) To consult with public and private agencies in order to help
11 them improve their methods and facilities for the care of children,
12 expectant mothers and developmentally disabled persons.

13 NEW SECTION. Sec. 104. A new section is added to chapter 13.32A
14 RCW to read as follows:

15 Subject to the availability of amounts appropriated for this
16 specific purpose, the department must develop a process to locate
17 unaccompanied homeless children, as defined in RCW 43.330.702, with
18 the primary goal of returning the child to his or her parent(s) or
19 legal guardian(s). This process must include locating dependent
20 children, as defined in RCW 13.34.030, missing from care. When a
21 report of a runaway or an unaccompanied homeless child is made to the
22 department pursuant to RCW 26.44.030, the department must locate the
23 child as provided for in this section. The department must, at a
24 minimum:

25 (1) Develop a process to track reports of unaccompanied homeless
26 children on a daily basis;

27 (2) Develop a process for tracking the daily living situation of
28 homeless children. "Living situation" includes, but is not limited
29 to: Living with a parent(s), guardian(s), other relative(s), or next
30 of kin. The tracking process must include whether the department has
31 screened in and accepted the child for services and whether the child
32 is a dependent;

33 (3) Track the length of time it takes from identifying an
34 unaccompanied homeless youth to the time that the child is returned
35 home or placed in safe long-term care through the dependency process;

36 (4) Include information from the child as to why the child ran
37 away from home;

1 (5) Include information from the child's parent(s) or legal
2 guardian(s) as to why he or she believes the child ran away from
3 home;

4 (6) Track whether a parent or legal guardian refuses to maintain
5 custody of the child;

6 (7) Ensure that data collected is sortable by city and county;

7 (8) Make a determination as to why a child ran away from home or
8 how a child became an unaccompanied homeless youth; and

9 (9) Make such data available to the legislature on a monthly
10 basis.

11 NEW SECTION. **Sec. 105.** Any parent or legal guardian who
12 knowingly fails to notify law enforcement within forty-eight hours of
13 learning that a child in his or her care is missing is guilty of a
14 misdemeanor.

15 NEW SECTION. **Sec. 106.** Section 105 of this act constitutes a
16 new chapter in Title 9A RCW.

17 **PART II**

18 **Sec. 201.** RCW 43.330.700 and 2015 c 69 s 4 are each amended to
19 read as follows:

20 (1) The legislature finds that every night thousands of homeless
21 youth in Washington go to sleep without the safety, stability, and
22 support of a family or a home. This population is exposed to an
23 increased level of violence, human trafficking, and exploitation
24 resulting in a higher incidence of substance abuse, illness, and
25 death. The prevention and reduction of youth and young adult
26 homelessness and protection of homeless youth is of key concern to
27 the state. Nothing in chapter 69, Laws of 2015 is meant to diminish
28 the work accomplished by the implementation of Becca legislation but
29 rather, the intent of the legislature is to further enhance the
30 state's efforts in working with unaccompanied homeless youth and
31 runaways to encourage family reconciliation or permanent housing and
32 support through dependency when family reconciliation is not a viable
33 alternative.

34 (2) Successfully addressing youth and young adult homelessness
35 ensures that homeless youth and young adults in our state have the
36 support they need to thrive and avoid involvement in the justice

1 system, human trafficking, long-term, avoidable use of public
2 benefits, and extended adult homelessness.

3 (3) Providing appropriate, relevant, and readily accessible
4 services is critical for addressing one-time, episodic, or longer-
5 term homelessness among youth and young adults, and keeping homeless
6 youth and young adults safe, housed, and connected to family.

7 (4) The coordination of statewide programs to combat youth and
8 young adult homelessness should include programs addressing both
9 youth and young adults. However, the legislature acknowledges that
10 current law and best practices mandate that youth programs and young
11 adult programs be segregated in their implementation. The legislature
12 further finds that the differing needs of these populations should be
13 considered when assessing which programs are relevant and
14 appropriate.

15 (5) To successfully reduce and prevent youth and young adult
16 homelessness, it is the goal of the legislature to have the following
17 key components available and accessible:

18 (a) Stable housing: It is the goal of the legislature to provide
19 a safe and healthy place for homeless youth to sleep each night until
20 permanency can be reached. Every homeless young adult in our state
21 deserves access to housing that gives them a safe, healthy, and
22 supported launching pad to adulthood. Every family in crisis should
23 have appropriate support as they work to keep their children housed
24 and safe. It is the goal of the legislature that by July 1, 2018,
25 every homeless youth discharged from a public system of care in our
26 state (~~(will)~~) must not be discharged into homelessness.

27 (b) Family reconciliation: All homeless youth should have access
28 to services that support reunification with immediate family. When
29 reunification is not possible for homeless youth, youth should be
30 placed in the custody of the department of social and health
31 services.

32 ~~(c) ((Permanent connections: Every homeless young adult should
33 have opportunities to establish positive, healthy relationships with
34 adults, including family members, employers, landlords, teachers, and
35 community members, with whom they can maintain connections and from
36 whom they can receive ongoing, long-term support to help them develop
37 the skills and experiences necessary to achieve a successful
38 transition to adulthood.~~

39 ~~(d) Education and employment: Every homeless young adult in our
40 state deserves the opportunity and support they need to complete~~

~~1 their high school education and pursue additional education and
2 training. It is the goal of the legislature that every homeless young
3 adult in our state will have the opportunity to engage in employment
4 training and be able to access employment. With both education and
5 employment support and opportunities, young adults will have the
6 skills they need to become self-sufficient, self-reliant, and
7 independent.~~

8 (e)) Social and emotional well-being: Every homeless youth and
9 young adult in our state should have access to both behavioral health
10 care and physical health care. Every state-funded program for
11 homeless youth and young adults must endeavor to identify, encourage,
12 and nurture each youth's strengths and abilities and demonstrate a
13 commitment to youth-centered programming.

14 **Sec. 202.** RCW 43.330.705 and 2015 c 69 s 5 are each amended to
15 read as follows:

16 (1) There is created the office of homeless youth prevention and
17 protection programs within the department.

18 (2) Activities of the office of homeless youth prevention and
19 protection programs must be carried out by a director of the office
20 of homeless youth prevention and protection programs, supervised by
21 the director of the department or his or her designee.

22 (3) The office of homeless youth prevention and protection
23 programs is responsible for leading efforts under this subchapter to
24 coordinate a spectrum of ongoing and future funding, policy, and
25 practice efforts related to homeless youth and improving the safety,
26 health, and welfare of homeless youth in this state.

27 (4) The measurable goals of the office of homeless youth
28 prevention and protection programs are to: (a) Measurably decrease
29 the number of homeless youth and young adults by identifying programs
30 that address the initial causes of homelessness, and (b) measurably
31 increase permanency rates among homeless youth by decreasing the
32 length and occurrences of youth homelessness caused by a youth's
33 separation from family or a legal guardian. By December 1, 2017, and
34 monthly thereafter, the office of homeless youth prevention and
35 protection programs shall report to the legislature the status of
36 these goals.

37 (5) The office of homeless youth prevention and protection
38 programs shall (a) gather data and outcome measures, (b) initiate
39 data-sharing agreements, (c) develop specific recommendations and

1 timelines to address funding, policy, and practice gaps within the
2 state system for addressing the (~~(five priority service areas)~~) three
3 key components identified in RCW 43.330.700, (d) make reports, (e)
4 increase system integration and coordinate efforts to prevent state
5 systems from discharging youth and young adults into homelessness,
6 (f) develop measures to include by county and statewide the number of
7 homeless youth, dependency status, family reunification status,
8 housing status, program participation, and runaway status, (~~and~~)
9 (g) develop a comprehensive plan to encourage identification of youth
10 experiencing homelessness, promote family stability, and eliminate
11 youth and young adult homelessness, and (h) by July 1, 2018, ensure
12 that all services for minors are provided in a location separate from
13 adults, including young adults.

14 (6)(a) The office of homeless youth prevention and protection
15 programs shall regularly consult with an advisory committee,
16 comprised of (~~(advocates, at least two legislators, at least two~~
17 ~~parent advocates, at least one representative from law enforcement,~~
18 ~~service providers, and other stakeholders knowledgeable in the~~
19 ~~provision of services to homeless youth and young adults, including~~
20 ~~the prevention of youth and young adult homelessness, the dependency~~
21 ~~system, and family reunification)) four legislators and eight
22 additional members as appointed by the legislature, for a total of
23 twelve members. The advisory committee shall provide guidance and
24 recommendations to the office of homeless youth prevention and
25 protection programs and to the legislature regarding funding, policy,
26 and practice gaps within and among state programs.~~

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

28 (c) The members of the advisory committee must be appointed by
29 the (~~(governor, except for the legislators who must be appointed by)~~)
30 legislature. The speaker of the house of representatives and the
31 president of the senate must each appoint one legislator from each
32 caucus to the advisory committee. Each caucus of each chamber of the
33 legislature must appoint two additional advisory committee members.

34 (d) The advisory committee must have its initial meeting no later
35 than March 1, 2016.

36 (7) The office of homeless youth prevention and protection
37 programs must be operational no later than January 1, 2016. Transfer
38 of powers, duties, and functions of the department of social and
39 health services to the department of commerce pertaining to youth

1 homeless services and programs identified in RCW 43.330.710(2) may
2 occur before this date.

3 **Sec. 203.** RCW 43.330.706 and 2015 c 69 s 6 are each amended to
4 read as follows:

5 (1) The office of homeless youth prevention and protection
6 programs shall identify data and outcomes measures from which to
7 evaluate future public investment in homeless youth services.

8 (2) By December 1, 2016, and annually thereafter, and in
9 compliance with RCW 43.01.036, the office of homeless youth
10 prevention and protection programs must submit a report to the
11 governor and the legislature to inform recommendations for funding,
12 policy, and best practices in the ~~((five priority service areas))~~
13 three key components identified in RCW 43.330.700 and present
14 recommendations to address funding, policy, and practice gaps in the
15 state system.

16 (3) Recommendations must include, but are not limited to:
17 Strategies to enhance coordination between providers of youth
18 homelessness programs and the child welfare system, and strategies
19 for communities to identify homeless youth and ensure their
20 protection and referral to appropriate services, including family
21 reconciliation and transition to dependent status for minors.

22 **Sec. 204.** RCW 43.330.710 and 2015 c 69 s 7 are each amended to
23 read as follows:

24 (1)(a) The office of homeless youth prevention and protection
25 programs shall report to the director or the director's designee.

26 (b)(i) The office of homeless youth prevention and protection
27 programs may distribute grants to providers who serve homeless youth
28 and young adults throughout the state.

29 (ii) The grants must fund ~~((services in the five priority service
30 areas identified in RCW 43.330.700))~~ housing or family
31 reconciliation. Funds may not be used for street youth services.
32 Effective August 1, 2017, all grant recipients must demonstrate that
33 the services provided either reduces unaccompanied youth homelessness
34 or increases family reunification, or both. Effective August 1, 2017,
35 all grants made by the office must require outcome measures that
36 demonstrate that the services provided either reduces unaccompanied
37 youth homelessness or increases family reunification, or both. After
38 August 1, 2017, a grant recipient that is unable to demonstrate that

1 the services provided either reduces unaccompanied youth homelessness
2 or increases family reunification, or both, is not eligible to
3 receive a grant through the office.

4 (iii) The grants must be expended on a statewide basis and may be
5 used to support direct services as provided for in (b)(ii) of this
6 subsection, as well as technical assistance, evaluation, and capacity
7 building.

8 (2) The office of homeless youth prevention and protection
9 programs shall provide management ~~((and))~~, oversight guidance, and
10 direction, including recommendations for increasing capacity,
11 funding, and expanding locations across the state by county, to the
12 following programs:

13 (a) HOPE centers as described in RCW 43.185C.315; and

14 (b) Crisis residential centers as described in RCW 43.185C.295(~~(+~~

15 ~~(c) Street youth services;~~

16 ~~(d) Independent youth housing programs as described in RCW~~
17 ~~43.63A.305)).~~

18 **Sec. 205.** RCW 43.185C.180 and 2011 c 239 s 1 are each amended to
19 read as follows:

20 (1) In order to improve services for the homeless, the
21 department, within amounts appropriated by the legislature for this
22 specific purpose, shall implement the Washington homeless client
23 management information system for the ongoing collection and updates
24 of information about all homeless individuals in the state.

25 (2) Information about homeless individuals for the Washington
26 homeless client management information system shall come from the
27 Washington homeless census and from state agencies and community
28 organizations providing services to homeless individuals and
29 families.

30 ~~(a) ((Personally identifying information about homeless~~
31 ~~individuals for the Washington homeless client management information~~
32 ~~system may only be collected after having obtained informed,~~
33 ~~reasonably time limited (i) written consent from the homeless~~
34 ~~individual to whom the information relates, or (ii) telephonic~~
35 ~~consent from the homeless individual, provided that written consent~~
36 ~~is obtained at the first time the individual is physically present at~~
37 ~~an organization with access to the Washington homeless client~~
38 ~~management information system. Safeguards consistent with federal~~
39 ~~requirements on data collection must be in place to protect homeless~~

1 individuals' rights regarding their personally identifying
2 information.

3 (b) ~~Data collection under this subsection shall be done in a~~
4 ~~manner consistent with federally informed consent guidelines~~
5 ~~regarding human research which, at a minimum, require that~~
6 ~~individuals receive:~~

7 (i) ~~Information about the expected duration of their~~
8 ~~participation in the Washington homeless client management~~
9 ~~information system;~~

10 (ii) ~~An explanation of whom to contact for answers to pertinent~~
11 ~~questions about the data collection and their rights regarding their~~
12 ~~personal identifying information;~~

13 (iii) ~~An explanation regarding whom to contact in the event of~~
14 ~~injury to the individual related to the Washington homeless client~~
15 ~~management information system;~~

16 (iv) ~~A description of any reasonably foreseeable risks to the~~
17 ~~homeless individual; and~~

18 (v) ~~A statement describing the extent to which confidentiality of~~
19 ~~records identifying the individual will be maintained.~~

20 (e)) Any person, including a minor, seeking services from a
21 service provider that utilizes the Washington homeless client
22 management information system must provide his or her personally
23 identifying information to the service provider. For a service
24 provider that receives public funds including, but not limited to,
25 federal, state, and local funding, a person seeking services must
26 provide his or her personally identifying information to receive any
27 services from the service provider. The department must develop a
28 system to share such information with the department of social and
29 health services and local law enforcement.

30 (b) The department must adopt policies governing the appropriate
31 process for destroying Washington homeless client management
32 information system paper documents containing personally identifying
33 information when the paper documents are no longer needed. The
34 policies must not conflict with any federal data requirements.

35 (3) The Washington homeless client management information system
36 shall serve as an online information and referral system to enable
37 local governments and providers to connect homeless persons in the
38 database with available housing and other support services. Local
39 governments shall develop a capacity for continuous case management,

1 including independent living plans, when appropriate, to assist
2 homeless persons.

3 (4) The information in the Washington homeless client management
4 information system will also provide the department with the
5 information to consolidate and analyze data about the extent and
6 nature of homelessness in Washington state, giving emphasis to
7 information about the extent and nature of homelessness in Washington
8 state among families with children.

9 (5) The system may be merged with other data gathering and
10 reporting systems and shall:

11 (a) Protect the right of privacy of individuals;

12 (b) Provide for consultation and collaboration with all relevant
13 state agencies including the department of social and health
14 services, experts, and community organizations involved in the
15 delivery of services to homeless persons; and

16 (c) Include related information held or gathered by other state
17 agencies.

18 (6) Within amounts appropriated by the legislature, for this
19 specific purpose, the department shall evaluate the information
20 gathered and disseminate the analysis and the evaluation broadly,
21 using appropriate computer networks as well as written reports.

22 (7) The Washington homeless client management information system
23 shall be implemented by December 31, 2009, and updated with new
24 homeless client information at least annually.

25 (8) By December 1, 2018, the department must develop and update
26 daily a web-based system for the Washington homeless client
27 management information system.

28 **PART III**

29 NEW SECTION. **Sec. 301.** The legislature finds that:
30 Homelessness, among both youth and adults, is a pervasive problem;
31 homeless shelter space must be made available for homeless
32 individuals; and information must be gathered regarding the number of
33 homeless shelter spaces available on any given night.

34 NEW SECTION. **Sec. 302.** A new section is added to chapter
35 43.185C RCW to read as follows:

36 (1) It is unlawful for any person to camp upon any private
37 property without the express written consent of the property owner or

1 the owner's agent, and only in such locations where camping may be
2 conducted in accordance with any other applicable state law.

3 (2) It is unlawful for any person to camp upon any public
4 property except in any location where camping has been expressly
5 allowed by the officer or agency having the control, management, and
6 supervision of the public property in question.

7 (3) The prohibition in subsections (1) and (2) of this section
8 does not apply to any person:

9 (a) Sitting or lying down due to a medical emergency or due to a
10 sensory, mental, or physical disability;

11 (b) Who, as the result of a sensory, mental, or physical
12 disability, utilizes a wheelchair, walker, or similar device to move
13 about a public sidewalk;

14 (c) Operating or patronizing a business with permission to occupy
15 the sidewalk;

16 (d) Participating in or attending a parade, festival,
17 performance, rally, demonstration, meeting, or similar event
18 conducted on the public sidewalk pursuant to a special event or other
19 applicable permit;

20 (e) Sitting on a chair or bench supplied by a public agency or by
21 the abutting private property owner pursuant to the appropriate
22 permit or license;

23 (f) Sitting within a bus stop zone while waiting for public or
24 private transportation;

25 (g) Sitting on a privately owned sidewalk fixture with the
26 permission of the owner;

27 (h) Engaging in constitutionally protected expressive activities
28 that would otherwise be restricted by the limitations in subsections
29 (1) and (2) of this section; or

30 (i) Who is homeless during a time frame when local homeless
31 shelter space or homeless encampment space is unavailable.

32 (4) A law enforcement officer may not issue a citation, make an
33 arrest, or otherwise enforce this section against any person unless
34 the officer orally requests or orders the person to refrain from the
35 alleged violation of this section and, if the person fails to comply
36 after receiving the oral request or order, the officer tenders a
37 written request or order to the person warning that if the person
38 fails to comply the person may be cited or arrested for a violation
39 of this section.

40 (5) For purposes of this section:

1 (a) "Camp" means to reside or dwell temporarily in a place for
2 the purpose of seeking shelter. "Shelter" includes, without
3 limitation, any recreational vehicle, tent, tarpaulin, lean-to,
4 sleeping bag, bedroll, blankets, or any form of cover or protection
5 from the elements other than clothing. "Reside or dwell" includes,
6 without limitation, conducting such activities as eating, sleeping,
7 or the storage of personal possessions.

8 (b) "Public property" means any street, alley, sidewalk, parking
9 space, pedestrian or transit mall, bike path, greenway, or any other
10 structure or area encompassed within the public right-of-way; any
11 park, parkway, mountain park, or other recreation facility; or any
12 other grounds, buildings, fixtures, or other facilities owned or
13 leased by the state or by any other public owner, regardless of
14 whether such public property is vacant or occupied and actively used
15 for any public purpose.

16 (6) A violation of this section is a misdemeanor.

17 NEW SECTION. **Sec. 303.** A new section is added to chapter
18 43.185C RCW to read as follows:

19 Any public and privately owned homeless shelter housing homeless
20 individuals must provide a daily report on the number of beds
21 available that must be inputted into a central information system to
22 be created by the department and that may be used by law enforcement
23 officials and local governments searching for homeless shelter space
24 or homeless encampments. The department must maintain the central
25 information system and provide annual reports beginning December 1,
26 2017, and annually thereafter, to the legislature providing
27 recommendations for improvement to the central information system.

28 NEW SECTION. **Sec. 304.** A new section is added to chapter
29 43.185C RCW to read as follows:

30 (1) The state of Washington hereby fully occupies and preempts
31 the entire field of homeless encampment guidelines and regulations,
32 within the boundaries of the state, from setting guidelines for
33 homeless encampments below new state standards of health and safety
34 set by the department for authorized homeless encampments. Any city,
35 town, county, park district, or other local jurisdiction may enact
36 only those laws and ordinances relating to homeless encampments that
37 are specifically authorized by state law and are consistent with this
38 section. Such local ordinances must have the same penalty as provided

1 for by state law. Local laws and ordinances that are inconsistent
2 with, more restrictive than, or exceed the requirements of state law
3 must not be enacted and are preempted and repealed, regardless of the
4 nature of the code, charter, or home rule status of such city, town,
5 county, park district, or local jurisdiction.

6 (2) An encampment of any kind, not specially authorized by the
7 department, is prohibited. Before authorizing an encampment, the
8 department must provide neighborhood notification and local public
9 hearings must be completed in conjunction with at least one
10 representative from a local neighborhood group, the local city
11 council, and the local county council. Encampments in public parks
12 and other critical areas may be allowed only after a countywide
13 public vote.

14 (3) By January 1, 2018, the ten largest cities in the state, as
15 determined by the department, must identify on a map all unauthorized
16 campsites in that jurisdiction. That map must be posted on that
17 jurisdiction's web site and the department's web site, to be updated
18 daily.

19 (4) By July 1, 2018, the largest cities in each of the state's
20 two most populous counties must authorize as many encampment spaces
21 as necessary to house all of that city's homeless population and
22 enforce unauthorized camping statutes.

23 (5) By January 1, 2019, all unauthorized encampments must be
24 closed down or that jurisdiction must not receive any state funding
25 for homeless programs.

26 (6) By July 1, 2019, all cities in the state's most populous
27 county must authorize as many encampment spaces as necessary to house
28 all of the city's homeless population.

29 (7) By July 1, 2020, the largest city in the state's third most
30 populous county must authorize as many encampment spaces as necessary
31 to house all of that city's homeless population.

32 (8) By July 1, 2021, any local government that duly enacts laws
33 or ordinances permitting homeless encampments must authorize as many
34 encampment spaces as necessary to house all of that local
35 government's homeless population.

36 (9) All available encampment spaces must be listed on that local
37 government's web site and be reported daily to the department. A
38 local government that fails to provide adequate homeless encampment
39 spaces must not receive any state funding for homeless programs.

1 (10) On a daily basis, a local government must report the
2 following information to the department, as well as list the
3 information on that local government's web site:

4 (a) The number of unauthorized encampments;

5 (b) The number of unauthorized encampments that are closed;

6 (c) The total number of people in unauthorized encampments,
7 emergency shelters, and transitional housing, as well as the number
8 of entry and exits into such housing; and

9 (d) The number of deaths in both authorized and unauthorized
10 encampments.

11 (11) By January 1, 2024, there must not be any authorized or
12 unauthorized encampments as there will be an adequate supply of
13 housing eliminating the need for such encampments.

14 (12) The state auditor must provide an annual certification to
15 the state legislature and state board of health that the department
16 is compliant with the requirements set forth in this section.

17 **PART IV**

18 NEW SECTION. **Sec. 401.** In 2005, the state created the goal of
19 reducing homelessness in Washington state by fifty percent within ten
20 years. The legislature also recognized that the provision of housing
21 and housing-related services to the homeless should be administered
22 at the local level to meet the diverse needs across the state. The
23 state's responsibility was to coordinate, support, finance, and
24 monitor efforts to address homelessness issues.

25 During the past decade, the state has experienced an overall
26 decline in homelessness with some counties meeting or exceeding its
27 reduction goal. However, some counties have not only failed to
28 achieve reductions, but have experienced an increase in the number of
29 homeless families and individuals. Additionally, the number of
30 unsheltered and chronic homeless has increased in areas of the state
31 despite significant federal, state, and local financial resources
32 that have been invested in homelessness assistance. The dichotomy
33 between the resources expended and the results achieved warrants a
34 more frequent review of state and local homelessness strategies and
35 more transparent reporting of expenditures, performance, and outcomes
36 at the local level. Therefore, the legislature intends to review
37 state and local homelessness prevention, assistance, and housing
38 efforts on a more frequent basis to improve the development of cost-

1 effective programs and identification of best practices to expand
2 housing security across the state.

3 **Sec. 402.** RCW 43.185C.030 and 2013 c 200 s 25 are each amended
4 to read as follows:

5 (1) The department shall annually conduct a Washington homeless
6 census or count consistent with the requirements of RCW 43.185C.180.
7 The census shall make every effort to count all homeless individuals
8 living outdoors, in shelters, and in transitional housing,
9 coordinated, when reasonably feasible, with already existing homeless
10 census projects including those funded in part by the United States
11 department of housing and urban development under the McKinney-Vento
12 homeless assistance program. The department shall determine, in
13 consultation with local governments, the data to be collected. Data
14 on subpopulations and other characteristics of the homeless must, at
15 a minimum, be consistent with United States department of housing and
16 urban development requirements and include the following:

- 17 (a) Chronically homeless individuals;
- 18 (b) Chronically homeless families;
- 19 (c) Unaccompanied homeless youth;
- 20 (d) Male veterans;
- 21 (e) Female veterans;
- 22 (f) Adults with severe mental illness;
- 23 (g) Adults with chronic substance abuse issues;
- 24 (h) Adults with HIV/AIDS;
- 25 (i) Senior citizens;
- 26 (j) Victims of domestic violence; and
- 27 (k) An estimate of the number of homeless individuals that are
28 not included in the census.

29 (2) All personal information collected in the census is
30 confidential, and the department and each local government shall take
31 all necessary steps to protect the identity and confidentiality of
32 each person counted.

33 (3) The department and each local government are prohibited from
34 disclosing any personally identifying information about any homeless
35 individual when there is reason to believe or evidence indicating
36 that the homeless individual is an adult or minor victim of domestic
37 violence, dating violence, sexual assault, or stalking or is the
38 parent or guardian of a child victim of domestic violence, dating
39 violence, sexual assault, or stalking; or revealing other

1 confidential information regarding HIV/AIDS status, as found in RCW
2 70.02.220. The department and each local government shall not ask any
3 homeless housing provider to disclose personally identifying
4 information about any homeless individuals when the providers
5 implementing those programs have reason to believe or evidence
6 indicating that those clients are adult or minor victims of domestic
7 violence, dating violence, sexual assault, or stalking or are the
8 parents or guardians of child victims of domestic violence, dating
9 violence, sexual assault, or stalking. Summary data for the
10 provider's facility or program may be substituted.

11 (4) The Washington homeless census shall be conducted annually on
12 a schedule created by the department. The department shall make
13 summary data by county available to the public each year. This data,
14 and its analysis, shall be included in the department's annual
15 updated homeless housing program strategic plan.

16 (5) Based on the annual census and provider information from the
17 local government plans, the department shall, by the end of year
18 four, implement an online information and referral system to enable
19 local governments and providers to identify available housing for a
20 homeless person. The department shall work with local governments and
21 their providers to develop a capacity for continuous case management
22 to assist homeless persons.

23 (6) By the end of year four, the department shall implement an
24 organizational quality management system.

25 **Sec. 403.** RCW 43.185C.040 and 2015 c 69 s 25 are each amended to
26 read as follows:

27 (1) (~~Six months after the first Washington homeless census,~~)
28 The department shall, in consultation with the interagency council on
29 homelessness and the affordable housing advisory board, prepare and
30 publish a (~~ten-year~~) five-year homeless housing strategic plan
31 which (~~shall~~) must outline statewide goals and performance measures
32 and (~~shall~~) must be coordinated with the plan for homeless families
33 with children required under RCW 43.63A.650. The state homeless
34 housing strategic plan must be submitted to the legislature by July
35 1, 2018, and updated every five years thereafter. The plan must
36 include at least the following information:

37 (a) Performance measures and goals, including efficiency and
38 effectiveness measures, to reduce homelessness, including long-term
39 and short-term goals;

1 (b) An analysis of the services and programs being offered at the
2 state and county level and an identification of those representing
3 best practices and outcomes;

4 (c) Recognition of services and programs targeted to certain
5 homeless populations or geographic areas in recognition of the
6 diverse needs across the state;

7 (d) New or innovative funding, program, or service strategies to
8 pursue;

9 (e) An analysis of current drivers of homelessness and/or
10 improvements to housing security such as increases and reductions to
11 employment opportunities, housing scarcity and affordability, health
12 and behavior health services, chemical dependency treatment, and
13 incarceration rates; and

14 (f) An implementation strategy outlining the roles and
15 responsibilities at the state and local level and timelines to
16 achieve a reduction in homelessness at the statewide level during
17 periods of the five-year homeless housing strategic plan.

18 (2) The department must coordinate its efforts on the state
19 homeless housing strategic plan with the office of homeless youth
20 prevention and protection programs advisory committee under RCW
21 43.330.705. The state homeless housing strategic plan must not
22 conflict with the strategies, planning, data collection, and
23 performance and outcome measures developed under RCW 43.330.705 and
24 43.330.706 to reduce the state's homeless youth population.

25 (3) To guide local governments in preparation of ((their first))
26 local homeless housing plans due December ((31, 2005)) 1, 2018, and
27 updated every five years thereafter, the department shall issue by
28 ((October 15, 2005)) December 1, 2017, ((temporary)) guidelines
29 consistent with this chapter and including the best available data on
30 each community's homeless population. ((Local governments' ten-year
31 homeless housing plans shall not be substantially inconsistent with
32 the goals and program recommendations of the temporary guidelines
33 and, when amended after 2005, the state strategic plan.

34 (2)) Program outcomes ((and)), performance measures, efficiency
35 and effectiveness measures, and goals ((shall)) must be created by
36 the department ((and reflected in the department's homeless housing
37 strategic plan as well as interim goals)) in collaboration with local
38 governments against which ((state and)) local governments'
39 performance ((may)) will be measured((, including:

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

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

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

8 ~~((3))~~ (4) The department shall develop a consistent statewide
9 data gathering instrument to monitor the performance of cities and
10 counties receiving grants in order to determine compliance with the
11 terms and conditions set forth in the grant application or required
12 by the department.

13 ~~((The department shall, in consultation with the interagency~~
14 ~~council on homelessness and the affordable housing advisory board,~~
15 ~~report biennially to the governor and the appropriate committees of~~
16 ~~the legislature an assessment of the state's performance in~~
17 ~~furthering the goals of the state ten-year homeless housing strategic~~
18 ~~plan and the performance of each participating local government in~~
19 ~~creating and executing a local homeless housing plan which meets the~~
20 ~~requirements of this chapter. The annual report may include~~
21 ~~performance measures such as:~~

22 ~~(a) The reduction in the number of homeless individuals and~~
23 ~~families from the initial count of homeless persons;~~

24 ~~(b) The reduction in the number of unaccompanied homeless youth.~~
25 ~~"Unaccompanied homeless youth" has the same meaning as in RCW~~
26 ~~43.330.702;~~

27 ~~(c) The number of new units available and affordable for homeless~~
28 ~~families by housing type;~~

29 ~~(d) The number of homeless individuals identified who are not~~
30 ~~offered suitable housing within thirty days of their request or~~
31 ~~identification as homeless;~~

32 ~~(e) The number of households at risk of losing housing who~~
33 ~~maintain it due to a preventive intervention;~~

34 ~~(f) The transition time from homelessness to permanent housing;~~

35 ~~(g) The cost per person housed at each level of the housing~~
36 ~~continuum;~~

37 ~~(h) The ability to successfully collect data and report~~
38 ~~performance;~~

1 ~~(i) The extent of collaboration and coordination among public~~
2 ~~bodies, as well as community stakeholders, and the level of community~~
3 ~~support and participation;~~

4 ~~(j) The quality and safety of housing provided; and~~

5 ~~(k) The effectiveness of outreach to homeless persons, and their~~
6 ~~satisfaction with the program.~~

7 ~~(4))~~ (5) Based on the performance of local homeless housing
8 programs in meeting their ((interim)) goals, on general population
9 changes and on changes in the homeless population recorded in the
10 annual census, the department may ((~~revise the performance measures~~
11 ~~and goals of the state homeless housing strategic plan, set goals for~~
12 ~~years following the initial ten-year period, and recommend~~)) require
13 changes in local governments' plans to be eligible for state funding
14 appropriated to the department for homeless programs.

15 **Sec. 404.** RCW 43.185C.070 and 2005 c 484 s 11 are each amended
16 to read as follows:

17 (1) During each calendar year in which moneys from the ((~~homeless~~
18 ~~housing~~)) home security fund account are available for use by the
19 department for the homeless housing grant program, the department
20 shall announce to all Washington counties, participating cities, and
21 through major media throughout the state, a grant application period
22 of at least ninety days' duration. Grants may only be awarded for
23 programs directly related to addressing the root causes of
24 homelessness, preventing homelessness, and collecting data and
25 information on homeless individuals. This announcement will be made
26 as often as the director deems appropriate for proper utilization of
27 resources. The department shall then promptly grant as many
28 applications as will utilize available funds, less appropriate
29 administrative costs of the department as described in RCW 36.22.179.

30 (2) The department will develop, with advice and input from the
31 affordable housing advisory board established in RCW 43.185B.020,
32 criteria to evaluate grant applications.

33 (3) The department may approve applications only if they are
34 consistent with the local and state homeless housing program
35 strategic plans. The department may give preference to applications
36 based on some or all of the following criteria:

37 (a) The total homeless population in the applicant local
38 government service area, as reported by the most recent annual
39 Washington homeless census;

1 (b) Current local expenditures to provide housing for the
2 homeless and to address the underlying causes of homelessness as
3 described in RCW 43.185C.005;

4 (c) Local government and private contributions pledged to the
5 program in the form of matching funds, property, infrastructure
6 improvements, and other contributions; and the degree of leveraging
7 of other funds from local government or private sources for the
8 program for which funds are being requested, to include recipient
9 contributions to total project costs, including allied contributions
10 from other sources such as professional, craft and trade services,
11 and lender interest rate subsidies;

12 (d) Construction projects or rehabilitation that will serve
13 homeless individuals or families for a period of at least twenty-five
14 years;

15 (e) Projects which demonstrate serving homeless populations with
16 the greatest needs, including projects that serve special needs
17 populations;

18 (f) The degree to which the applicant project represents a
19 collaboration between local governments, nonprofit community-based
20 organizations, local and state agencies, and the private sector,
21 especially through its integration with the coordinated and
22 comprehensive plan for homeless families with children required under
23 RCW 43.63A.650;

24 (g) The cooperation of the local government in the annual
25 Washington homeless census project;

26 (h) The commitment of the local government and any subcontracting
27 local governments, nonprofit organizations, and for-profit entities
28 to employ a diverse workforce;

29 (i) The extent, if any, that the local homeless population is
30 disproportionate to the revenues collected under this chapter and RCW
31 36.22.178 and 36.22.179; and

32 (j) Other elements shown by the applicant to be directly related
33 to the goal and the department's state strategic plan.

34 **Sec. 405.** RCW 43.185C.160 and 2005 c 485 s 1 are each amended to
35 read as follows:

36 (1) Each county shall create a homeless housing task force to
37 develop a ~~((ten-year))~~ five-year homeless housing plan addressing
38 short-term and long-term housing for homeless persons. The plan is
39 due to the department on December 1, 2018, and must be updated every

1 five years thereafter. The plan must include a local homelessness
2 reduction goal for the county and an implementation plan to achieve
3 the goal over the five-year plan period. The plan must also have a
4 specific and more aggressive goal and implementation plan to reduce
5 youth homelessness in the county that is consistent with state
6 reduction strategies developed by the office of homeless youth
7 prevention and protection programs.

8 Membership on the task force may include representatives of the
9 counties, cities, towns, housing authorities, civic and faith
10 organizations, schools, community networks, human services providers,
11 law enforcement personnel, criminal justice personnel, including
12 prosecutors, probation officers, and jail administrators, substance
13 abuse treatment providers, mental health care providers, emergency
14 health care providers, businesses, at large representatives of the
15 community, and a homeless or formerly homeless individual.

16 In lieu of creating a new task force, a local government may
17 designate an existing governmental or nonprofit body which
18 substantially conforms to this section and which includes at least
19 one homeless or formerly homeless individual to serve as its homeless
20 representative. As an alternative to a separate plan, two or more
21 local governments may work in concert to develop and execute a joint
22 homeless housing plan, or to contract with another entity to do so
23 according to the requirements of this chapter. While a local
24 government has the authority to subcontract with other entities, the
25 local government continues to maintain the ultimate responsibility
26 for the homeless housing program within its borders.

27 A county may decline to participate in the program authorized in
28 this chapter by forwarding to the department a resolution adopted by
29 the county legislative authority stating the intention not to
30 participate. A copy of the resolution shall also be transmitted to
31 the county auditor and treasurer. If a county declines to
32 participate, the department shall create and execute a local homeless
33 housing plan for the county meeting the requirements of this chapter.

34 (2) In addition to developing a (~~ten-year~~) five-year homeless
35 housing plan, each task force shall establish guidelines consistent
36 with the statewide homeless housing strategic plan, as needed, for
37 the following:

- 38 (a) Emergency shelters;
- 39 (b) Short-term housing needs;
- 40 (c) Temporary encampments;

- 1 (d) Supportive housing for chronically homeless persons; and
- 2 (e) Long-term housing.

3 Guidelines must include, when appropriate, standards for health
4 and safety and notifying the public of proposed facilities to house
5 the homeless.

6 (3) Each county, including counties exempted from creating a new
7 task force under subsection (1) of this section, shall report to the
8 department (~~of community, trade, and economic development~~) such
9 information as may be needed to ensure compliance with this chapter,
10 including the annual report required in section 407 of this act.

11 **Sec. 406.** RCW 43.185C.170 and 2006 c 349 s 7 are each amended to
12 read as follows:

13 (1) The interagency council on homelessness, as defined in RCW
14 43.185C.010, shall be convened not later than August 31, 2006, and
15 shall meet at least two times each year and report to the appropriate
16 committees of the legislature annually by December 31st on its
17 activities.

18 (2) The interagency council on homelessness shall work to create
19 greater levels of interagency coordination and to coordinate state
20 agency efforts with the efforts of state and local entities
21 addressing homelessness.

22 (3) The interagency council on homelessness must respond to all
23 state and local legislative and policy recommendations included in
24 the state and local ending homeless plans. The interagency council
25 must annually present its strategy for addressing the issue raised to
26 the appropriate committees of the legislature and must also include a
27 report on the actions taken to date that address these issues.

28 (4) The interagency council shall seek to:

29 (a) Align homeless-related housing and supportive service
30 policies among state agencies;

31 (b) Identify ways in which providing housing with appropriate
32 services can contribute to cost savings for state agencies;

33 (c) Identify policies and actions that may contribute to
34 homelessness or interfere with its reduction;

35 (d) Review and improve strategies for discharge from state
36 institutions that contribute to homelessness;

37 (e) Recommend policies to either improve practices or align
38 resources, or both, including those policies requested by the

1 affordable housing advisory board or through state and local housing
2 plans; and

3 (f) Ensure that the housing status of people served by state
4 programs is collected in consistent formats available for analysis.

5 NEW SECTION. **Sec. 407.** A new section is added to chapter
6 43.185C RCW to read as follows:

7 (1) By February 1st of each year, the department must provide an
8 update on the state's homeless housing strategic plan and its
9 activities for the prior fiscal year. The report must include, but
10 not be limited to, the following information:

11 (a) An assessment of the current condition of homelessness in
12 Washington state and the state's performance in meeting the goals in
13 the state homeless housing strategic plan;

14 (b) A report on the results of the annual homeless point-in-time
15 census conducted statewide under RCW 43.185C.030;

16 (c) The amount of federal, state, local, and private funds spent
17 on homelessness assistance, categorized by funding source and the
18 following major assistance types:

19 (i) Emergency shelter;

20 (ii) Homelessness prevention and rapid rehousing;

21 (iii) Permanent housing;

22 (iv) Permanent supportive housing;

23 (v) Transitional housing;

24 (vi) Services only; and

25 (vii) Any other activity in which more than five hundred thousand
26 dollars of category funds were expended;

27 (d) A report on the expenditures, performance, and outcomes of
28 state funds distributed through the consolidated homeless grant
29 program, including the grant recipient, award amount expended, use of
30 the funds, counties served, and households served;

31 (e) A report on state and local homelessness document recording
32 fee expenditure by county, including the total amount of fee
33 spending, percentage of total spending from fees, number of people
34 served by major assistance type, and amount of expenditures for
35 private rental payments required in RCW 36.22.179;

36 (f) A report on the expenditures, performance, and outcomes of
37 the essential needs and housing support program meeting the
38 requirements of RCW 43.185C.220; and

1 (g) A report on the expenditures, performance, and outcomes of
2 the independent youth housing program meeting the requirements of RCW
3 43.63A.311.

4 (2) The report required in subsection (1) of this section must be
5 posted to the department's web site and may include links to updated
6 or revised information contained in the report.

7 (3) By February 1st of each year, any local government receiving
8 state funds for homelessness assistance or state or local
9 homelessness document recording fees under RCW 36.22.178, 36.22.179,
10 or 36.22.1791 must provide an annual report on the current condition
11 of homelessness in its jurisdiction, its performance in meeting the
12 goals in its local homeless housing plan, and any significant changes
13 made to the plan. The annual report must be posted on the
14 department's web site. Along with each local government annual
15 report, the department must produce and post information on the local
16 government's homelessness spending from all sources by project during
17 the prior state fiscal year in a format similar to the department's
18 report under subsection (1)(c) of this section. If a local government
19 fails to report or provides an inadequate or incomplete report, the
20 department must take corrective action, which may include withholding
21 state funding for homelessness assistance to the local government to
22 enable the department to use such funds to contract with other public
23 or nonprofit entities to provide homelessness assistance within the
24 jurisdiction.

25 **Sec. 408.** RCW 36.22.178 and 2011 c 110 s 1 are each amended to
26 read as follows:

27 The surcharge provided for in this section shall be named the
28 affordable housing for all surcharge.

29 (1) Except as provided in subsection (3) of this section, a
30 surcharge of ten dollars per instrument shall be charged by the
31 county auditor for each document recorded, which will be in addition
32 to any other charge authorized by law. (~~The county may retain up to~~
33 ~~five percent of these funds collected solely for the collection,~~
34 ~~administration, and local distribution of these funds. Of the~~
35 ~~remaining funds,)) Forty percent of the revenue generated through
36 this surcharge will be transmitted monthly to the state treasurer who
37 will deposit the funds into the affordable housing for all account
38 created in RCW 43.185C.190. The department of commerce must use these
39 funds to provide housing and shelter for extremely low-income~~

1 households, including but not limited to housing for victims of human
2 trafficking and their families and grants for building operation and
3 maintenance costs of housing projects or units within housing
4 projects that are affordable to extremely low-income households with
5 incomes at or below thirty percent of the area median income, and
6 that require a supplement to rent income to cover ongoing operating
7 expenses.

8 (2) All of the remaining funds generated by this surcharge will
9 be retained by the county and be deposited into a fund that must be
10 used by the county and its cities and towns for eligible housing
11 activities as described in this subsection that serve very low-income
12 households with incomes at or below fifty percent of the area median
13 income. Up to six percent of the funds may be used by the county for
14 the collection and local distribution of these funds and
15 administrative costs related to its homeless housing plan. The
16 portion of the surcharge retained by a county shall be allocated to
17 eligible housing activities that serve extremely low and very low-
18 income households in the county and the cities within a county
19 according to an interlocal agreement between the county and the
20 cities within the county consistent with countywide and local housing
21 needs and policies. A priority must be given to eligible housing
22 activities that serve extremely low-income households with incomes at
23 or below thirty percent of the area median income. Eligible housing
24 activities to be funded by these county funds are limited to:

25 (a) Acquisition, construction, or rehabilitation of housing
26 projects or units within housing projects that are affordable to very
27 low-income households with incomes at or below fifty percent of the
28 area median income, including units for homeownership, rental units,
29 seasonal and permanent farmworker housing units, units reserved for
30 victims of human trafficking and their families, and single room
31 occupancy units;

32 (b) Supporting building operation and maintenance costs of
33 housing projects or units within housing projects eligible to receive
34 housing trust funds, that are affordable to very low-income
35 households with incomes at or below fifty percent of the area median
36 income, and that require a supplement to rent income to cover ongoing
37 operating expenses;

38 (c) Rental assistance vouchers for housing units that are
39 affordable to very low-income households with incomes at or below
40 fifty percent of the area median income, including rental housing

1 vouchers for victims of human trafficking and their families, to be
2 administered by a local public housing authority or other local
3 organization that has an existing rental assistance voucher program,
4 consistent with or similar to the United States department of housing
5 and urban development's section 8 rental assistance voucher program
6 standards; and

7 (d) Operating costs for emergency shelters and licensed overnight
8 youth shelters.

9 (3) The surcharge imposed in this section does not apply to
10 assignments or substitutions of previously recorded deeds of trust.

11 **Sec. 409.** RCW 36.22.179 and 2014 c 200 s 1 are each amended to
12 read as follows:

13 (1) In addition to the surcharge authorized in RCW 36.22.178, and
14 except as provided in subsection (2) of this section, an additional
15 surcharge of ten dollars shall be charged by the county auditor for
16 each document recorded, which will be in addition to any other charge
17 allowed by law. From September 1, 2012, through June 30, ((2019))
18 2022, the surcharge shall be forty dollars. The funds collected
19 pursuant to this section are to be distributed and used as follows:

20 (a) The auditor shall (~~retain two percent for collection of the~~
21 ~~fee, and of the remainder shall~~) remit sixty percent to the county
22 to be deposited into a fund that must be used by the county and its
23 cities and towns to accomplish the purposes of chapter 484, Laws of
24 2005, six percent of which may be used by the county for the
25 collection and local distribution of these funds and administrative
26 costs related to its homeless housing plan, and the remainder for
27 programs which directly accomplish the goals of the county's local
28 homeless housing plan, except that for each city in the county which
29 elects as authorized in RCW 43.185C.080 to operate its own local
30 homeless housing program, a percentage of the surcharge assessed
31 under this section equal to the percentage of the city's local
32 portion of the real estate excise tax collected by the county shall
33 be transmitted at least quarterly to the city treasurer, without any
34 deduction for county administrative costs, for use by the city for
35 program costs which directly contribute to the goals of the city's
36 local homeless housing plan; of the funds received by the city, it
37 may use six percent for administrative costs for its homeless housing
38 program.

1 (b) The auditor shall remit the remaining funds to the state
2 treasurer for deposit in the home security fund account. The
3 department may use twelve and one-half percent of this amount for
4 administration of the program established in RCW 43.185C.020,
5 including the costs of creating the statewide homeless housing
6 strategic plan, measuring performance, providing technical assistance
7 to local governments, and managing the homeless housing grant
8 program. Of the remaining eighty-seven and one-half percent, at least
9 forty-five percent must be set aside for the use of private rental
10 housing payments, and the remainder is to be used by the department
11 to:

12 (i) Provide housing and shelter for homeless people including,
13 but not limited to: Grants to operate, repair, and staff shelters;
14 grants to operate transitional housing; partial payments for rental
15 assistance; consolidated emergency assistance; overnight youth
16 shelters; grants and vouchers designated for victims of human
17 trafficking and their families; and emergency shelter assistance; and

18 (ii) Fund the homeless housing grant program.

19 (2) The surcharge imposed in this section does not apply to (a)
20 assignments or substitutions of previously recorded deeds of trust,
21 (b) documents recording a birth, marriage, divorce, or death, (c) any
22 recorded documents otherwise exempted from a recording fee or
23 additional surcharges under state law, (d) marriage licenses issued
24 by the county auditor, or (e) documents recording a state, county, or
25 city lien or satisfaction of lien.

26 **Sec. 410.** RCW 36.22.1791 and 2011 c 110 s 3 are each amended to
27 read as follows:

28 (1) In addition to the surcharges authorized in RCW 36.22.178 and
29 36.22.179, and except as provided in subsection (2) of this section,
30 the county auditor shall charge an additional surcharge of eight
31 dollars for each document recorded, which is in addition to any other
32 charge allowed by law. The funds collected under this section are to
33 be distributed and used as follows:

34 (a) The auditor shall remit ninety percent to the county to be
35 deposited into a fund six percent of which may be used by the county
36 for the collection and local distribution of these funds and
37 administrative costs related to its homeless housing plan, and the
38 remainder for programs that directly accomplish the goals of the
39 county's local homeless housing plan, except that for each city in

1 the county that elects, as authorized in RCW 43.185C.080, to operate
2 its own local homeless housing program, a percentage of the surcharge
3 assessed under this section equal to the percentage of the city's
4 local portion of the real estate excise tax collected by the county
5 must be transmitted at least quarterly to the city treasurer for use
6 by the city for program costs that directly contribute to the goals
7 of the city's local homeless housing plan.

8 (b) The auditor shall remit the remaining funds to the state
9 treasurer for deposit in the home security fund account. The
10 department may use the funds for administering the program
11 established in RCW 43.185C.020, including the costs of creating and
12 updating the statewide homeless housing strategic plan, measuring
13 performance, providing technical assistance to local governments, and
14 managing the homeless housing grant program. Remaining funds may also
15 be used to:

16 (i) Provide housing and shelter for homeless people including,
17 but not limited to: Grants to operate, repair, and staff shelters;
18 grants to operate transitional housing; partial payments for rental
19 assistance; consolidated emergency assistance; overnight youth
20 shelters; grants and vouchers designated for victims of human
21 trafficking and their families; and emergency shelter assistance; and

22 (ii) Fund the homeless housing grant program.

23 (2) The surcharge imposed in this section does not apply to
24 assignments or substitutions of previously recorded deeds of trust.

25 **Sec. 411.** RCW 43.185C.240 and 2015 c 69 s 26 are each amended to
26 read as follows:

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

29 (a) Any local government that has the authority to issue housing
30 vouchers, directly or through a contractor, using document recording
31 surcharge funds collected pursuant to RCW 36.22.178, 36.22.179, or
32 36.22.1791 must:

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

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

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

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

3 (E) Communicate and interact with landlord and tenant
4 associations located within its jurisdiction to facilitate
5 development, maintenance, and distribution of the list to private
6 rental housing landlords. The department must make reasonable efforts
7 to ensure that local providers conduct outreach to private rental
8 housing landlords each calendar quarter regarding opportunities to
9 provide rental housing to the homeless and the availability of funds;

10 (ii) Using cost-effective methods of communication, convene, on a
11 semiannual or more frequent basis, landlords represented on the
12 interested landlord list and agencies providing services to
13 individuals and households receiving housing vouchers to identify
14 successes, barriers, and process improvements. The local government
15 is not required to reimburse any participants for expenses related to
16 attendance;

17 (iii) Produce data, limited to document recording fee uses and
18 expenditures, on a ~~((calendar))~~ fiscal year basis in consultation
19 with landlords represented on the interested landlord list and
20 agencies providing services to individuals and households receiving
21 housing vouchers, that include the following: Total amount expended
22 from document recording fees; amount expended on, number of
23 households that received, and number of housing vouchers issued in
24 each of the private, public, and nonprofit markets; amount expended
25 on, number of households that received, and number of housing
26 placement payments provided in each of the private, public, and
27 nonprofit markets; amount expended on and number of eviction
28 prevention services provided in the private market; amount expended
29 on and number of other tenant-based rent assistance services provided
30 in the private market; and amount expended on and number of services
31 provided to unaccompanied homeless youth. If these data elements are
32 not readily available, the reporting government may request the
33 department to use the sampling methodology established pursuant to
34 (c)(iii) of this subsection to obtain the data; and

35 (iv) Annually submit the ~~((calendar))~~ fiscal year data to the
36 department ~~((by October 1st, with preliminary data submitted by
37 October 1, 2012, and full calendar year data submitted beginning
38 October 1, 2013))~~.

39 (b) Any local government receiving ~~((more than three million five
40 hundred thousand dollars))~~ any funds during the previous ~~((calendar))~~

1 fiscal year from document recording surcharge funds collected
2 pursuant to RCW 36.22.178, 36.22.179, and 36.22.1791, must apply to
3 the Washington state quality award program, or similar Baldrige
4 assessment organization, for an independent assessment of its quality
5 management, accountability, and performance system. The first
6 assessment may be a lite assessment. After submitting an application,
7 a local government is required to reapply at least every two years.

8 (c) The department must:

9 (i) Require contractors that provide housing vouchers to
10 distribute the interested landlord list created by the appropriate
11 local government to individuals and households receiving the housing
12 vouchers;

13 (ii) Convene a stakeholder group by March 1, 2017, consisting of
14 landlords, homeless housing advocates, real estate industry
15 representatives, cities, counties, and the department to meet to
16 discuss long-term funding strategies for homeless housing programs
17 that do not include a surcharge on document recording fees. The
18 stakeholder group must provide a report of its findings to the
19 legislature by December 1, 2017;

20 (iii) Develop a sampling methodology to obtain data required
21 under this section when a local government or contractor does not
22 have such information readily available. The process for developing
23 the sampling methodology must include providing notification to and
24 the opportunity for public comment by local governments issuing
25 housing vouchers, landlord association representatives, and agencies
26 providing services to individuals and households receiving housing
27 vouchers;

28 (iv) Develop a report, limited to document recording fee uses and
29 expenditures, on a (~~calendar~~) fiscal year basis that may include
30 consultation with local governments, landlord association
31 representatives, and agencies providing services to individuals and
32 households receiving housing vouchers, that includes the following:
33 Total amount expended from document recording fees; amount expended
34 on, number of households that received, and number of housing
35 vouchers issued in each of the private, public, and nonprofit
36 markets; amount expended on, number of households that received, and
37 number of housing placement payments provided in each of the private,
38 public, and nonprofit markets; amount expended on and number of
39 eviction prevention services provided in the private market; the
40 total amount of funds set aside for private rental housing payments

1 as required in RCW 36.22.179(1)(b); and amount expended on and number
2 of other tenant-based rent assistance services provided in the
3 private market. The information in the report must include data
4 submitted by local governments and data on all additional document
5 recording fee activities for which the department contracted that
6 were not otherwise reported. The data, samples, and sampling
7 methodology used to develop the report must be made available upon
8 request and for the audits required in this section;

9 (v) Annually submit the (~~calendar~~) fiscal year report to the
10 legislature by (~~December 15th, with a preliminary report submitted~~
11 ~~by December 15, 2012, and full calendar year reports submitted~~
12 ~~beginning December 15, 2013~~) February 1st of each year; and

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

17 (d) The office of financial management must secure an independent
18 audit of the department's data and expenditures of state funds
19 received under RCW 36.22.179(1)(b) on an annual basis. The
20 independent audit must review a random sample of local governments,
21 contractors, and housing providers that is geographically and
22 demographically diverse. The independent auditor must meet with the
23 department and a landlord representative to review the preliminary
24 audit and provide the department and the landlord representative with
25 the opportunity to include written comments regarding the findings
26 that must be included with the audit. The first audit of the
27 department's data and expenditures will be for calendar year 2014 and
28 is due July 1, 2015. Each audit thereafter will be due July 1st
29 following the department's submission of the report to the
30 legislature. If the independent audit finds that the department has
31 failed to set aside at least forty-five percent of the funds received
32 under RCW 36.22.179(1)(b) after June 12, 2014, for private rental
33 housing payments, the independent auditor must notify the department
34 and the office of financial management of its finding. In addition,
35 the independent auditor must make recommendations to the office of
36 financial management and the legislature on alternative means of
37 distributing the funds to meet the requirements of RCW
38 36.22.179(1)(b).

39 (e) The office of financial management must contract with an
40 independent auditor to conduct a performance audit of the programs

1 funded by document recording surcharge funds collected pursuant to
2 RCW 36.22.178, 36.22.179, and 36.22.1791. The audit must provide
3 findings to determine if the funds are being used effectively,
4 efficiently, and for their intended purpose. The audit must review
5 the department's performance in meeting all statutory requirements
6 related to document recording surcharge funds including, but not
7 limited to, the data the department collects, the timeliness and
8 quality of required reports, and whether the data and required
9 reports provide adequate information and accountability for the use
10 of the document recording surcharge funds. The audit must include
11 recommendations for policy and operational improvements to the use of
12 document recording surcharges by counties and the department. The
13 performance audit must be submitted to the legislature by December 1,
14 2016.

15 (2) For purposes of this section:

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

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

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

30 (d) "Private rental housing" means housing owned by a private
31 landlord and does not include housing owned by a nonprofit housing
32 entity or government entity.

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

34

PART V

35 NEW SECTION. **Sec. 501.** The sum of fifty thousand dollars, or as
36 much thereof as may be necessary, is appropriated for the fiscal year
37 ending June 30, 2018, from the general fund to the department of
38 commerce to be distributed to five housing authorities, using a

1 selection method and distribution formula to be determined by the
2 department, to implement a quality management system and prepare and
3 submit an application to the Washington quality awards program by
4 December 31, 2019.

5 NEW SECTION. **Sec. 502.** The sum of fifty thousand dollars, or as
6 much thereof as may be necessary, is appropriated for the fiscal year
7 ending June 30, 2018, from the general fund to the department of
8 commerce to be distributed to five community action agencies, using a
9 selection method and distribution formula to be determined by the
10 department, to implement a quality management system and prepare and
11 submit an application to the Washington quality awards program by
12 December 31, 2019.

13 NEW SECTION. **Sec. 503.** The sum of two hundred thousand dollars,
14 or as much thereof may be necessary, is appropriated for the fiscal
15 biennium ending June 30, 2019, and every two years thereafter, from
16 the general fund to the state auditor's office for the purpose of an
17 audit to determine the effectiveness and efficiency of state homeless
18 programs.

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